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THE
Parliamentary Debates

FROM

THE YEAR

1803

TO THE PRESENT TIME:

FORMING A CONTINUATION OF THE WORK ENTITLED
"THE PARLIAMENTARY HISTORY OF ENGLAND FROM THE EARLIEST
PERIOD TO THE YEAR 1803."

PUBLISHED UNDER THE SUPERINTENDENCE OF

T. C. HANSARD.

VOL. XXVI.

COMPRISING THE PERIOD
FROM
THE ELEVENTH DAY OF MAY
TO
THE TWENTY-SECOND DAY OF JULY
1813.

LONDON:

PRINTED FOR LONGMAN, HURST, REES, ORME, AND BROWN; CRADOCK AND JOY;
J. BOOKER; J. BOOTH; J. RICHARDSON; BLACK, PARRY, AND CO.; E. JEFFERY;
J. HATCHARD; J. RIDGWAY; BUDD AND CALKIN; J. RODWELL; R. H. EVANS;
AND
T. C. HANSARD, PRINTER, PETERBOROUGH-COURT, FLEET-STREET.

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THE

Parliamentary Debates

During the First Session of the Fifth Parliament of the
United Kingdom of Great Britain and Ireland, appointed
to meet at Westminster, the Twenty-fourth Day of
November, in the Fifty-third Year of the Reign of His
Majesty King GEORGE the Third. [*Sess.* 1812/13.

HOUSE OF COMMONS.

Tuesday, May 11, 1813.

MOTION FOR A COMMITTEE ON THE STATE OF THE LAWS AFFECTING THE ROMAN CATHOLICS.] In pursuance of his notice,

Sir *John Cox Hippisley* rose and addressed the House as follows:

Before I proceed, Sir, upon the notice which I sometime since gave for this day, I would ask my hon. friend, the member for Dublin, whether he wishes to have it understood, that the House should also enter upon the discussion of the order, which, on his motion, stands among the orders of the day?—if he does, I think I have some cause to complain, as my notice was given anterior to that order. The notice, I am aware, is entitled to precedence; but nevertheless if it be not understood that the order should stand over till to-morrow, much impatience may probably be excited, little suited to that deliberate discussion, to which, I conceive, the object of my notice has some pretension.

Mr. *Grattan* rose and intimated that he did not think himself warranted to move the postponement of the discussion of the order, as so many other gentlemen were anxious it should not be delayed—but that the House would be regulated probably by circumstances, according to the time which might be occupied in the discussion of the motion of the hon. baronet.

Sir *J. C. Hippisley.*—From the answer of my right hon. friend, I fear I can promise myself but little of his assistance in acquitting the task I have proposed to myself; and I am persuaded that I shall receive but still less indulgence from many, with whom I have been accustomed to act on former occasions, when this subject, upon which my present motion so materially bears, has been before the House. I am naturally led to this painful anticipation from the questions put to me and the observations made, since I entered the House, by many of those gentlemen:—to institute any enquiry is now considered, by them, as wantonly opposing obstacles to those concessions which, accompanied with due regulation, I contend that I am not less disposed to promote, than my right hon. friend who is so anxious to move the order of the day. I must however, Sir, remind those who are now so strenuous in resisting investigation, and regard the question as on the eve of being probably carried by the physical force of numbers—for so confident are they of their strength,—I must remind them, I repeat, of the uniformity and consistency of the course I have pursued in reference to this question, whenever it has been agitated from the period of the motion of Mr. Fox in 1805, and on the successive motions of my right hon. friend, the member for Dublin; whenever I have pressed my opinions on the House, or given publicity to them without these walls, I must claim the admission that I have invariably contended for the qualification of concession by restriction and regulation, urging also, as indispensible, the most deliberate investigation of the grounds on which those concessions should be made. I certainly did, in the early debates on this subject, consider that such an investigation might have taken place in a committee of the whole House; but after the collision of opinions which was excited in consequence of the debate in 1808, on the motion of my right hon. friend, and principally among the Catholics themselves, in reference to those provisions which I ever considered as constituting an indispensible accompaniment of further concession, I have, from that period, uniformly maintained, from the sincerest conviction of my mind, that the adoption of a select committee affords the only practicable means by which any satisfactory result can be obtained. A committee of the whole House is ill adapted to the examination of the various documents which, in the existing circumstances, ought to be produced to constitute the basis of equitable and permanent legislation. No information whatever has hitherto been substantially adduced:—assertions indeed have not been sparingly made, but unsubstantiated, and it is surely too much to demand credit to mere assertion on the facts and points at issue, in a question of such vital interest.

Before I enter, Sir, upon the grounds of the motion, I shall beg to state its component parts distinctly to the House, in the order I propose to move them, namely:

" That a Select Committee be appointed to examine and report the state of the laws affecting his Majesty's Roman Catholic subjects within the realm:—the state and number of the Roman Catholic clergy, their religious institutions, and their intercourse with the See of Rome, or other foreign jurisdictions:—the state of the laws and regulations affecting his Majesty's Roman Catholic subjects in the several colonies of the United Kingdom:—the regulations of foreign states as far as they can be substantiated by evidence, respecting the nomination, collation, or institution of the episcopal order of the Roman Catholic clergy, and the regulations of their intercourse with the See of Rome."—If this be conceded, I propose to move that the committee do consist of twenty one, and that the following members be the said committee, namely, lord viscount Castlereagh, Mr. Ponsonby, Mr. Yorke, Mr. Grattan, Mr. Ryder, Mr. Canning, Mr. Bathurst, Mr. Tierney, sir William Scott, sir John Newport, sir John Nicholl, Mr. M. Fitzgerald, Mr. Peel, Mr. Plunkett, Mr. Bankes, Mr. Wilberforce, Mr. Barry, Mr. Brogden, sir Samuel Romilly, Mr. Barham, and sir J. C. Hippisley: that they meet to-morrow morning, in the Speaker's Chamber, and have powers to send for persons, papers and records:—that five be a quorum:—that they have leave to sit notwithstanding any adjournment of the House, and that they have power to report, from time to time, the minutes of the evidence taken before them.

The object of the motion, Sir, thus distinctly stated, is to collect and report a body of evidence which may best afford the means of legislating, on such a subject, with more accuracy and effect than could otherwise be obtained; and to facilitate this object, should the motion be acquiesced in by the House, I shall move for the production of various documents to be put upon record. In the selection of members to constitute the committee, I think it must be admitted that those I have named are fully competent to such investigation; I have had in view an equal selection of such as have been considered as supporters or opposers of concession to the claims of the Catholics. It is not my object to ask for powers to report any specific opinion upon the evidence which may be adduced, or to prescribe the course or limits of concession, but merely that the evidence should be distinctly stated to the House, which, by having such a tangible body of information before it, may, as I have observed, proceed with more accuracy and effect to ultimate and adequate legislation. An hon. member near me (Mr. Wilberforce) who I conceived would have been the last to have objected to so rational a procedure, observed on a former night's debate, when I mentioned the object of my present motion, that such an investigation, he feared, might lead to "darkness visible"—intimating also that we should be involved in a labyrinth of theological discussion, tending to no profitable result. Were it, Sir, my object to enter into such discussions, which in fact it is not, I might again remind my honourable friend, that accustomed as he has been himself to theological enquiries, he has not always manifested, as far as they have been connected with the Catholic subject at least, great accuracy of information. As a proof he must allow me also again to advert to the fact,—when I was stating, some years since, in this House, an ecclesiastical constitution of the established church, he exclaimed, "that it was a canon of the church of Rome." I had the satisfaction however of convincing my hon. friend that I had quoted verbatim, that part of the 113th canon of James 1st, which enjoined the minister of the established church, to conceal all crimes revealed to him in confession, as scrupulously as is practised in the church of Rome, for the exception made in the canon or constitution of 1603, has not now, nor had it then any foundation—there being no species of offence—not even high treason, the bare concealment of which subjects the person concealing it to the penalties of a capital offence, which was the only exception to enjoined secrecy.

But, Sir, entreating pardon of the House for these frequent repetitions, I must say also that though it is not my object to introduce theological discussion, yet in a question which must involve frequent reference to some of the most essential tenets of doctrine and discipline of the church of Rome, it is impossible altogether to avoid it, especially as the civil allegiance of Catholics is considered, by the opponents of their claims, to be so intimately blended with, and dependent upon the tenets of their religion.—In this view, doubtless, it was that a right hon. gentleman (Mr. Ryder) who moved the call of the House for this day, moved also, some time since, for the production of the documents constituting the course of education pursued in the college of Maynooth. As I was not in the House, Sir, when the motion was acceded to, and as the tracts which were in use in that college were familiar to me, I thought it my duty to move on the following day, for the production of those tracts—namely—the "Tractatus de Ecclesiâ"—"de Religione" and "de Sacramentis"—including also "a Dissertation on General Councils."—These tracts comprehend the course of the theological studies at Maynooth, and were all compiled by the professor de la Hogue, who is now professor of divinity at that college, and who formerly filled the chair of a professor with great celebrity for twenty years at the Sorbonne. I cannot, Sir, name this venerable ecclesiastic, who has now attained to, I believe, his eightieth year, without paying my willing tribute to his estimable character and exemplary conduct in the exercise of his professional charge. I had an additional motive for moving for the production of his tracts, as so much misconception had obtained respecting one of them. It will be recollected, Sir, that in the last parliament, a right hon. gentleman, whose untimely and calamitous loss we must all deplore (the late Chancellor of the Exchequer) quoted a passage from the "Tractatus de Ecclesiâ," inferring from it that the professor had enjoined a scrupulous observance of the whole discipline, as well as doctrine, enjoined by the council of Trent. In the same error a right reverend prelate (the bishop of Lincoln) has addressed his clergy in a pastoral charge, referring to the same passage—but it is due to the memory of Mr. Perceval to state, that he immediately avowed his error when, (as he had made a pointed reference to me across the House,) I indicated to him the various passages, in the same work of the professor, by which it was evident that he pronounced only those regulations of discipline to be obligatory which were comprehended in the preceding compendium, and were sanctioned by the Gallican church. In fact, the several tracts which have been laid before the House in consequence of the motion I have noticed, are no other than the same course of ecclesiastical studies, which were pursued in the Sorbonne, in which university it is well known that no person can graduate without defending the four memorable propositions of the Gallican church which maintain its independence, and wholly reject the interference of the see of Rome in temporals—in a word, which reject all those imputed, obnoxious tenets, which it is the object of the several oaths of our statutes of toleration to abjure. I should add that the professor de la Hogue cites the authority of the celebrated Bossuet, affirming that many of the disciplinary regulations of general councils are merely to be considered as applicable to times and circumstances. "Multa etiam sunt decreta quæ non pertinent ad invariabilem fidei regulam, sed sunt accommodata temporibus atque negotiis."—It is scarcely necessary, Sir, that I should say, that the history of those days informs us, that although a division obtained among the Gallican clergy respecting the acceptation of the discipline of the council of Trent, it was rejected by the French parliaments: indeed many of its disciplinary regulations have since become constitutions of the state, but therein they derive their authority from the state itself. I cannot but recollect, Sir, some light and taunting observations thrown out when I moved for the production of these tracts—

which was considered as intended, on my part, injuriously to operate as an obstacle to the Bill proposed by my right hon. friend. With all veneration for his exalted character and pre-eminent talents I regret to say that I cannot feel the same respect for the Bill which he has introduced. Our ultimate object, Sir, is in substance the same. But the Bill does not, in my humble estimation, point out an unexceptionable course to attain it.—I cannot therefore say of the Bill—or of the clauses suggested by another right hon. gentleman (Mr. Canning) 'materiam superavit opus'—I admit the substance or principle of both his clauses to be in conformity to my own views of regulation; but I cannot bring my mind to assent to the circuitous, and, as I view them, untenable means, by which the end is proposed to be produced. After the House had consented to the printing of those clauses, on their first introduction, I thought it my duty, Sir, to put in the same course of circulation, though not under the same sanction, a paper which I had drawn up some years since as pointing to the object sought to be provided for by the first of those clauses. I mean, Sir, the modification of that interposition of government, which is now stiled the *Veto* in the appointments of the prelates of the Roman Catholic communion. I must apologize to the House for recurring so often as I have done in the several debates upon this subject, to what may be termed the history of the *Veto*; but it appears to me to be so necessary to be accurately understood, as scarcely to require apology for the repetition, especially as we are now circumstanced, in a new parliament, wherein the subject also must be new to so large a proportion of the members, in their representative character, at least. After the introduction of bishop Milner's proposition in the session of 1808—many months it is well known had elapsed before we heard any objections raised against it, and those who introduced it in parliament, had received the thanks of the chiefs of the Catholic prelacy. At length some writers under the assumed names of *Sarsfield—Inimicus Veto*, and others, assailed bishop Milner and the Irish Catholic prelates as the authors of a measure subversive of the popular religion of their country. Mr. Clinch, a gentleman at the Irish bar, soon after united himself with those writers; and as Mr. Clinch's pen had been often exercised in defence of the Irish Roman Catholic hierarchy, and was known to possess considerable talents and much practised in ecclesiastical polemics, his "Inquiry" or "Brief for the Bishops," as it is commonly stiled, published at the eve of the convention of the Catholic prelates, in September 1808 (assembled expressly to consider the proposition of Dr. Milner) had great popular weight, and has been avowed also to have had a material influence upon the deliberations of the prelates themselves.

The result of those deliberations was a vote "that it was inexpedient to introduce any alteration in the canonical mode hitherto observed in the nomination of the Irish Roman Catholic bishops." It is well known that when lord Southwell and sir Edward Bellew called upon the Roman Catholic primate Dr. Reilly, for an explanation of this vote—that prelate maintained, in a letter since published, that it involved no departure from the principle of the bishops' resolutions of 1799 which had conceded the *Veto*:—that such concession was not contrary to the doctrine of the Roman Catholic religion—but that it might be eventually attended with consequences dangerous to the Roman Catholic religion; but adds the archbishop, "such danger is of a temporary nature resulting from existing circumstances."—To the same effect also was the answer of the Roman Catholic archbishop of Dublin, Dr. Troy, two months after the date of this resolution of "inexpediency:" both prelates having reference only to the temporary influence of an administration considered by them as inimical to the claims of the Catholics. I will not go further Sir, into the details of that controversy, I have often expressed my opinion upon the subject in this House, and I thought it also incumbent upon me not to withhold those opinions from the public—as it is a question upon which the public opinion has been much agitated, and must naturally continue to be agitated, while it involves the consideration of so material a departure from the systematic policy of our ancestors from the period of the Reformation, but more especially from the Revolution—for we know, that between those periods, during four reigns, Catholics were not deprived of the representative franchise, but continued to sit in parliament till the epoch of the imaginary, or at least exaggerated plot, supported by the perjuries of Oates and Bedloe.

Those opinions, Sir, which I have so

often expressed, had the good fortune to be in concurrence with the opinions of a great number of gentlemen near me—if I am to collect their sentiments from their repeated declarations both within and without the doors of parliament: from those opinions, Sir, I have never swerved. I can reproach myself with no inconsistency—I have been uniform in declaring that I can never be the advocate of further concession, but as the result of deliberate investigation, and that investigation I conceive can only be obtained by the institution of a select committee, such as is the object of the motion which I have this day the honour to submit to the House. The report of such a committee, I must repeat, as I have contended for, year after year, would constitute the best ground work of legislation; but antecedent to any conclusive act of legislation, I must also contend that the report of the committee should circulate not only among the members of this House, but throughout the country. We do not want authorities for such a procedure, and even at the discussions of this subject on the motion of my right hon. friend, some weeks since, it seemed to meet the views of the warmest advocates of concession, that the act of legislation should not, this session, be conclusive.

With respect to the two clauses which are now engrafted on the Bill, I have said that the end sought for in both, is in perfect conformity to my own views—but differing as to the means,—and the object of the second of those clauses, especially demands the deliberate investigation of a committee, as the authorities adduced from the practice of other states, are of great importance, not merely in view to the security of the establishment, but to be avowed as the basis of legislation on the uniform principles maintained even in Catholic states, not less jealous of the encroachments of a foreign jurisdiction, than we are ourselves.

I will suppose, Sir, for a moment, that we immediately proceed to legislate in the very letter of the Bill introduced by my right hon. friend, with the addition of the restrictive clauses now introduced. We have already observed enough of the temper and language held in some assemblies of Catholics in Ireland, to anticipate the result—let us alone, they say, rather than impose upon us such shackles; we will have nothing short of unqualified concession. The uninformed member of the establishment will not be less hostile to the extension of privileges to the professors of a religion which our state policy demands should be circumscribed with such precautionary fences. He will not readily separate, in his apprehension, the Roman court from the Roman see. He will have yet to learn that one of the stoutest defenders of our establishment, has gravely and truly admitted that "our controversy about papal power is not a question of faith, but of interest and profit; not with the see of Rome, but with the court of Rome." So archbishop Bramhall defines it; and I need not cite authorities in support of the orthodoxy of that prelate on the strictest principles of the establishment. But, Sir, I am disposed to think that the opinions of the great mass of the less informed Protestants as well as Catholics, might receive different impressions, if from the information derived from an investigation and report of a select committee, they should learn that the primitive church anterior to the Reformation, was ever jealous of its independence, and that the municipal enactments of our ancient sovereigns and their parliaments were sedulously directed to maintain that independence in reference to the frequent and indeed systematic encroachments of the court of Rome. A weak deference to the intrusive spirit of that court on the part of bigotted or timid princes, is not to be confounded with the principles of the religion of Catholics, though such examples are but too often found in the history of our country. The most irrefragable documents might be produced in a committee to evince the frequent and successful resistance to such encroachments both in ancient and modern times, on the part even of those states which are supposed to have been most blindly devoted to the see of Rome. The spirit of the Gallican church has been pre-eminent—but Spain and Portugal, Naples and Austria, Savoy, Venice and Tuscany—in a word every Catholic state, even on the other side of the Alps, with an exception to the Roman territory itself, have from time to time, afforded distinguished proofs of this spirit of independence in the proceedings of their governments, not only maintaining the freedom of their nominations to the prelacy, but have also under various appellations, whether of the *placet*, the *regium exequatur*, or some analogous term, asserted the right of the sovereign to the inspection and licensing of all rescripts emanating from the see of Rome, (those of the penitentiary only, under certain guards excepted) before they were allowed to have circulation or validity within their respective states: surely, Sir, the well attested documents in support of such facts are of no light estimation, but of practical utility, as salutary examples, and it will be difficult to assign a satisfactory reason why they should not be recorded in the report of a committee, as an incontrovertible answer to those misguided zealots who denounce all measures of regulation as inconsistent with the practice of the Roman Catholic religion. Let us, Sir, again look back to the solemn admission of the four metropolitan and six senior bishops of Ireland of the Roman communion. Have they not recorded that the interference of the crown is not incompatible with the integrity of their religion, and with a view to ascertain the loyalty of a candidate, it is just and ought to be acceded to? Let us examine all their subsequent resolutions to the present hour. I maintain that they have not attempted in any one of them to controvert the principle of their admission of 1799, although indeed they have set up a qualification of it as to the 'inexpediency' of present adoption. Let us again advert to the several publications of bishop Milner, the accredited agent of the Catholic prelates of Ireland; to his Letter to a right hon. member of this House (Mr. Ponsonby) which he has read in his place; to the Letter, also, of the same prelate to a Parish Priest, in which he details the striking instances, in various states, of the exercise of that prerogative of the crown;—" The exercise of ecclesiastical power (says the learned prelate) being of so much consequence to the welfare of a state, there is perhaps no civilized Christian country, in which the government does not interfere in the appointment of the prelates, who are to exercise this power; and it is judged that there is no country in which this interference is so necessary as in Ireland. In Catholic countries the prince nominates without any controul, and the Pope gives jurisdiction as a matter of course; in almost every uncatholic country means are provided and care taken, both by those who have a right to present and by the holy see herself, that no person obnoxious to the sovereign shall be raised to the prelacy. The sovereigns of Russia and Prussia will be found to have exercised a power, in this respect, which far exceeds that which the Irish prelates have offered to his Majesty." Such are the words of bishop Milner; but, Sir, I have quoted and requoted these pointed admissions in former debates—admissions on the part of bishop Milner, not merely to be found in his Letter to a Parish Priest, but in various other of his letters published by himself in the newspapers at that period, and addressed to the several editors. In speaking of this prelate, I must not pass over his salutary admonition to the Catholic prelacy in Ireland, on the eve of their convocation in 1808. " If," says he, " the prelates should abide by what they have solemnly resolved upon, they will have nothing more to do than what is probably within their sphere, and what is comparatively easy to be done: namely, to enlighten their people and shew them how grossly they have been imposed upon, both as to facts and reasoning." —It is, Sir, in concurrence with this sentiment that I anticipate the salutary effects of the report of a select committee going forth to the public eye—that the Protestant and Catholic should have equally the advantage of the information to be derived from it, by emancipating themselves from the force of their prejudices. Of bishop Milner's subsequent changes of opinion we are pretty well informed by himself, and he has not failed to announce to us the vote of the Roman Catholic bishops of Ireland, recognizing his " apostolical firmness" in resisting the fifth resolution of the English Catholics assembled on the 2nd of February 1810. So extraordinary a vote, however, I am persuaded would not have passed, had not much gross misrepresentation of facts been conveyed to that venerable body; they could not have qualified the passive conduct of bishop Milner on that occasion, with such extravagant eulogy, if they had known that he had declared that he would not interpose to prevent any priest of his own district from signing the resolution so reprobated: and that to a question put to him by an English Catholic peer, demanding whether he might conscientiously sign it, his lordship was answered that he might sign it!—As an agent of the Irish prelacy merely, bishop Milner withheld his own signature, (for such was the motive he assigned) when every other prelate of his church who was present—namely, five in number, subscribed their approbation of the temperate and loyal resolution.—And here I may observe that the ecclesiastical character with which Dr. Milner is clothed by the see of Rome, may with propriety become one of the subjects of consideration in such a committee as I have in view; as I am persuaded it will be found much moré congenial with the spirit of our constitution, to proscribe the admission of that delegated authority than to connive at it. I do not contend that the recent conduct of bishop Milner has been influenced by his delegated character of apostolical vicar; I have said that all his colleagues, invested with the same character, contrasted their conduct to bishop Milner's by signing the temperate and loyal resolution of the 2nd of February—Nor do I impute disloyalty to Dr. Milner in withholding his signature—but the absolute dependency of the character of an apostolic vicar upon the see of Rome is an objection taken by the most enlightened Catholics themselves—Bishop Milner himself is well aware of it—and in one of his publications contrasts the dependent state of himself and colleagues, upon the see of Rome, to that of bishop's ordinaries—in other words—with the condition of prelates whose faculties are not revocable at the mere will of a pope. I have often, Sir, adverted to this material distinction, and shewn the facility of removing the objection.—Every loyal Catholic prelate, thus circumstanced, must rejoice in the change, and we should hasten to remove this delegated representative authority, whose incompatibility with the spirit of our government, will be more felt in proportion to the approximation of the Catholic and Protestant to each other. In saying this it is due from me also to observe that the change will never be resisted, when the see of Rome is filled by a pontiff who has only the integrity of his religion at heart. I have proofs, and have before stated them, that it would not have been resisted by Pius VI, nor would it be, I am persuaded, by his successor, if he had the freedom of action.

When, Sir, I animadvert on the conduct of bishop Milner as an individual, I do it with pain; but the cause of truth exacts it from me. Bishop Milner is no insignificant person—he cannot be kept in the back ground, nor the eccentricities of his conduct disregarded. He is unquestionably a prelate of great learning, and of a warm and forward spirit, presiding over the Catholics of fifteen counties of great Catholic population. I will not here recur to his controversies at the period of the Act of 1791—they were successful to the cause he espoused, but I will look to his more recent Letters to a Prebendary and his Case of Conscience;—the former addressed to the late chancellor Sturges, in defence of the civil principles of Catholics, and the latter written in refutation of the opinion that a further concession to the claims of the Catholics was incompatible with the obligation of the coronation oath. His liberal opponent Mr. Chancellor Sturges, admitted that bishop Milner's argument in the latter tract was unanswerable;—such too was the opinion of Mr. Pitt, who countenanced the publication of that tract. It is to be regretted, Sir, that this learned prelate should, of late, have travelled so much out of his course, for his recent publications are as much calculated to keep alive the dissentions between our Catholic fellow subjects and the members of the establishment, as those I have noticed were to extinguish them. Of his exceptionable works, Sir, I have in my hand one, which considering the moment when it is given to the public, though more particularly addressed to the Catholic clergy of his district, I cannot but consider as deserving of marked reprobation—and indeed no composition could be less calculated to promote the object which every rational Catholic must have at heart, in removing prejudices which are opposed to further legislative concessions in his favour.—I hope, Sir, I may claim the indulgence of the House in adverting to a few passages of this extraordinary pamphlet.

[Sir J. H. here read several passages from the Pastoral Charge of Bishop Milner of the 24th of March, 1813, addressed to the Clergy of the Midland District]

The learned prelate has done me the honour to make my conduct in respect to this question the subject of near twenty pages of this Pastoral Charge.—He calls upon me to produce any authentic document that the church has acknowledged any right in the sovereigns of Prussia to nominate to the Catholic sees of Silesia, or to name a bishop of Quebec who has been presented by the English crown:—"What then have we not to expect," he adds, "should he (meaning myself) draw over a majority of his colleagues, in parliament, to adopt his sentiments?"—Of the fact of the practice of such nominations, having the proof in my possession, as I have repeatedly stated,—and as the learned prelate has himself heretofore admitted,—it is not material whether the church has acknowledged the right of nomination,—it is sufficient that the practice is established in those and other states, and invariably acquiesced in by his church: we know that his church protested against all the reservations in favour of Protestant sovereigns and their prelates, conceded by the treaty of Westphalia—and that Innocent the 10th, by a Pontifical Bull pronounced the treaty, to that effect, null and void, as an encroachment on his spiritual jurisdiction;—but we know also that neither Catholics nor Protestants paid the least attention to his Bull:—that the emperor and all the states ecclesiastical as well as civil, ratified the treaty, and that it remains as a constitution of the empire, if it can be said to have a constitution, at the present hour.

In reply to my assertions that our Catholic ancestors established similar barriers to those now contended for, against the encroachment and abuse of the Papal power, he observes "supposing the English and Irish Catholics choose to have a species of Catholicity of our own, one more analogous to the present freedom of our constitution, and to the freedom latterly enjoyed by all other dissidents from the established church, how can this concern the hon. baronet, provided we are good and loyal subjects?"—"The statutes of Provisors and Premunire (he continues to observe) were devised merely to prevent the court of Rome from bestowing temporal fiefs, annexed to bishoprics, on foreigners."—To this part of his argument I shall only repeat that we are to look to the practical course of nominations as followed by other states—and indeed in one instance, at least, we may add our own, for the Catholic bishop of Quebec, who is actually nominated by the governor of Quebec, has no temporal fief attached to his see;—nor have the apostolic vicars where licenced in other Protestant states to exercise their spiritual functions:—the same may be said of the coadjutor bishops of the Russian empire, and I am yet to learn whether there be any such fief attached to the archiepiscopal see of Mohilow—I suspect otherwise. But this, Sir, is a new objection raised since the debate of 1808, for no such reasoning occurred to the Irish Catholic prelates in 1799, when they pronounced in favour of the justice and propriety of the interference of the crown,—and where are the temporal fiefs attached to the Irish Catholic bishoprics?—nor did this objection occur to bishop Milner himself when heretofore exercising his pen in various publications in defence of those resolutions of the Irish prelates.—The bishop in this Charge, as in other of his recent publications, is very liberal in his epithets of condemnation of any attempt to institute a control upon the intromission and publication of Papal rescripts.—Star-chambers and Inquisitions are the terms of description by which he attempts to convey to his clergy an idea of the regulations to this end, which it is proposed to provide by legislation.—Here, Sir, we have only to refer the bishop to the uniform legislation of every other state,—Catholic or Protestant,—wherein a dominant religion is established—and we see no reason why our own should set the example of unprecedented forbearance. But, says the bishop—"By what kind of regulation can the baronet prevent the transmission of that spiritual jurisdiction, which can no more be torn away or handled than a beam of the sun?—Is he ignorant that it can be communicated not only by the pen, but also by word of mouth, by sign—by signal? I should be curious to learn how the hon. baronet would propose to regulate these intricate and subtle matters in the Secret Committee which he is incessantly calling for?"

I believe, Sir, that this sort of argument is calculated rather to promote than check the institution of such inquiries as I have proposed to the House. Other states have found no difficulties in establishing regulation—I have no visionary theories to recommend—I wish only to establish the proof of existing authorities, and to act upon them; in this wish I carry with me the sentiments of the best informed Catholics, who are not less tenacious of the integrity of their religion, than the learned prelate who seeks so industriously to alarm and unsettle their consciences.—The bishop at length proposes a new form of oath which offers a security, he avers, much more effectual than the security proposed by me—but in respect to those securities which are already proposed for enactment, as modified in the clauses of the right hon. member opposite to me (Mr. Canning,) he tells us that thirty bishops, with their clergy, and a numerous laity, are ready to mount the scaffold and submit to the axe or the halter, rather than submit to them.

The House will judge whether such declarations proceeding from an ecclesiastic, possessing, as he necessarily must possess, a great influence over the minds of a considerable population of his extended district—comprehending, as I have stated, fifteen English counties—whether, Sir, such language is calculated to promote conciliation, or rather whether it be not pregnant with mischievous results? The learned prelate, Sir, then insists npon the paramount security of his oath. I am ready to admit that where oaths will not bind, human provisions are likely to fail—but the effort must be made, and precautionary guards must still continue to be the objects of enactment:—a state must do its best to protect itself by the means within its disposal.—My right hon. friend the Chancellor of the Exchequer will feel great obligation to the learned prelate, if he can frame an oath which shall dispense with the necessity of keeping up our onerous establishment of revenue officers. I own that I am disposed to give credit to no man upon his oath, whom I would not willingly credit upon his word of honour. Such also, it should seem, was the impression that influenced the councils of a government proverbially cautious in framing regulations, similar to those I would provide on the present occasion,—the States of Holland were content to receive a disavowal of those obnoxious tenets which have been imputed to the See of Rome, merely on the *priestly word* of an ecclesiastic—but they do not stop here: I have often stated their regulation, that every Catholic priest must be presented to the civil magistrate for approval, and other regulations respecting the controul upon Papal rescripts also existed similar to those of other states. These facts I state on the authority of the cardinal archbishop of Siena, who is now living, from his letters addressed to myself. His eminence was, for many years, the secretary of the college of *Propaganda Fide.*

And here, Sir, I think it opportune to observe respecting the administration of the oaths prescribed by the English and Irish statutes, that the universality of that test is not such as is assumed by those advocates who think it conclusive. An effort was recently made, in another place, to ascertain the extent of the compliance with the provisions of the English Act of 1791, as far as respected the prescribed oath, but the information was not drawn from the best source.* When the test of an oath is assumed to be the only test which we have a right to demand, and if upon the averment that this test has been generally given, you are now called upon to concede to the claims of the petitioners in their fullest extent, can enquiry as to the fact be deemed an unjustifiable act, or a work of supererogation? If it should appear, however, that the averment is not sustained by the fact, but on the contrary, that the numbers of those who have submitted to this test are comparatively few—it may be asked, if there be not some ground of objection in this respect afforded to the opponents of the Bill, especially against the arguments of those who contend for the test as the only security?—I do not believe, Sir, that the majority of Catholics object to the prescribed oaths, but we know that objections have been taken to those oaths by some of them, and it could be wished that a test were framed, which could afford no ground of cavil. When the Bill of 1791 was introduced in this House, a great controversy took place, as I have heretofore stated, respecting the oath as originally framed. Bishop Milner was one of those most loud in condemning it: his objections, though disregarded in this House, were countenanced in the other House of Parliament, and the late bishop of St. Asaph, Dr. Horsley, decried the oath with scarcely less vehemence than bishop Milner himself.

The oath was altered in the upper House, at the suggestion of the bishop of St. Asaph, so as to become unobjectionable to the English Roman Catholic prelates of that day.† The oath, so amend-

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* A return was made to the House of Lords, on the motion of lord Kenyon, of the number of Catholics, who had, within the last ten years, taken the oaths prescribed by the Act of 1791; only one name was returned. Lord Kenyon limited his motion to the returns made to the privy council, to which the Act directs that the returns should be transmitted from the offices of the clerks of the peace, but which injunction is not duly observed. The offices of the clerks of the peace supply the information in the first instance, and they were resorted to by sir J. H. as stated by him in speaking to his motion.

† In the Irish Act the succession clause is differently worded. Bishop Milner in a

ed, is that which stands on the face of the Act of 1791. When we advert, Sir, to the great mass of Catholic population, even of this part of the United Kingdom, and observe such questions raised on the subject of this test;—when we find also, that comparatively, so few have complied with the provisions of the several Acts of Toleration in this respect—can we wonder that objections are made against further concession? May we not expect complaint of the negligence, at least, manifested by the majority of Catholics in not complying with this essential provision of the Act—especially as many of the penal laws must continue in force against those who are in the habitual observance of the ostensible rites of their religion without conforming to the provisions of the legislature.

The Petition of the Irish Catholics in 1805 states—"That the petitioners have solemnly and publicly taken the oaths, by law prescribed to his Majesty's Catholic subjects, as tests of political and moral principles."—In the year 1812, the Catholics of Ireland assert:—"We have publicly and solemnly taken every oath of fidelity and allegiance which the zealous caution of the legislature has, from time to time, imposed as tests of our political and moral principles:"—again—"By those awful tests we have bound ourselves, in the presence of the all seeing Deity, whom all classes of Christians adore, to be faithful and bear true allegiance to our most gracious sovereign."—The English Catholics also, in their petition of the present sessions, declare, that they have "cheerfully and readily taken the oaths and signed the declaration prescribed in the Acts which have been passed for their relief,—they humbly conceive that further securities cannot be required from them."—That those who actually subscribed these several petitions have conformed to the several Acts is not denied, but it will be observed that the relief prayed for, is in the name of the whole Catholic population of the United Kingdom. — What can be collected from these solemn allegations but that the petitioners themselves were fully impressed with the necessity of a general conformity to the provisions of the legislature, so far as to shew that they have submitted to the test, of which they speak with so much reverence, in order thereby to substantiate their claims to concessions for which they now apply to parliament? It is upon this principle that their most strenuous advocates have uniformly urged their claims. Let us also revert, Sir, to the period I have before noticed, namely, the year 1791, after the Act had passed—let us look to the invitation given by a venerable Roman Catholic prelate who then presided over, what is termed, the London district, or the ten southern counties.—The late bishop Douglas, in reference to the oath prescribed by the Act of 1791, thus addressed the Catholics of his district: "As our emancipation from the pressure of the penal laws * must awaken every

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note to his brief Memorial, circulated in the lobby of the House of Commons on the night Mr. Grattan's Bill was withdrawn, (dated 20th May 1813) declares, "that many Catholics in England, have refused to take the oath, appointed for them by the Act of 1791, in consequence of the terms in which the succession clause is couched, and it is presumed that many more in Ireland, where it never yet has been proposed, will refuse to take it, on the same account, namely, from an idea that they thereby would be obliged to take up arms against the sovereign, in case he was to profess their religion, which nobody can believe they would do." He then proposes a change of the terms of the oath—substituting the words "to *submit* to the Act of Settlement, &c." The Irish prelates it is well known, have often urged the removal of the same obstacle—and bishop Milner urged it in their behalf in his letter to Mr. Ponsonby in 1810. In the Bill introduced by Mr. Grattan, the words "the heirs of her body, (the princess Sophia) being Protestants," form part of the oath—the authority therefore of bishop Milner, speaking from his experience as an apostolical vicar of England, and also as agent for the Catholic bishops of Ireland, is adverse to the oath, as introduced in the present Bill. The votes of the Catholic prelacy of Ireland of the 29th of May, 1813, and of the aggregate meeting of the Catholics of Ireland, 15th June 1813, are also on record, by which Dr. Milner is again thanked for "his manly and conscientious opposition" to Mr. Grattan's Bill:—with these facts before the public—concession without inquiry does not seem to afford the best measure of answering the ends proposed by the Bill.

* As many of the speakers in assemblies

feeling of a grateful mind, hasten to correspond on your part with the benignity of government; hasten to give our gracious sovereign that test of loyalty which the legislature calls for, and to disclaim every principle dangerous to society and civil liberty, which has been erroneously imputed to you."—Such was the salutary admonition of bishop Douglas on the 14th of June 1791, and he was immediately followed by the hon. bishop Talbot, bishop Walmesly, and bishop Gibson in pastoral

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of the Catholics in Ireland seek to impress upon the public feeling a sense of injuries sustained by Catholics from the supposed violence offered to the rights of conscience, the following Extracts of the Pastoral Charges of archbishop Troy and bishop Moylan are subjoined. The candid representations of the prelates at that period, very little correspond with the language held in these assemblies.

Extract from Appendix No. V. to Sir J. Hippisley's Letters to the Earl of Fingall. [Murray 1813]

The following Extracts from the Pastoral Addresses and Remonstrances of archbishop Troy and bishop Moylan, manifest their laudable efforts to disabuse the Roman Catholics of their dioceses, at a period of great public danger; and also denote the sentiments of those prelates respecting the political as well as ecclesiastical condition of the Roman Catholics of Ireland.

Extract of a "Pastoral Letter of Dr. Troy, R. C. Archbishop of Dublin, to the Catholics of his Diocese;" dated Dublin, 25th May 1798.

"Compare your present situation with the past. Twenty years ago the exercise of your religion was prohibited by law; the ministers of it were proscribed; it was penal to educate Catholic youth at home or abroad; your property was insecure, at the mercy of an informer; your industry was restrained by incapacity to realize the fruits of it. At present you are emancipated from those and other penalties and disabilities, under which your forefathers, and some among yourselves, had laboured. You are now at liberty to profess your religion openly, and to practise the duties of it; the ministers of your religion exercise their several functions under the sanction of law, which authorizes Catholic teachers; a college for the education of your clergy has been erected at the recommendation of his Majesty; it is supported and endowed by parliamentary munificence; the restraints on your industry are removed, together with the incapacity to realize the fruits of it for the benefit of your posterity. What, let me, ask you, has effected this favourable change—this great difference between your past and your present situation? I answer; your loyalty, your submission to the constituted authorities, your peaceable demeanour, your patience under long-sufferings.—It was this exemplary and meritorious conduct, invariably dictated by the principles of your religion, which pleaded your just cause, and determined a gracious king and a wise parliament, to reward it by restoring you to many benefits of the constitution.

"You will, perhaps, reply, that some legal disablities still exclude the most loyal and peaceable Roman Catholic from a seat or vote in parliament, from the privy council, from the higher and confidential civil and military departments of the state.—I grant it. But is it by rebellion, insurrection, tumult, or seditious clamour, on your part, that these incapacities are to be removed?"

Extract from the Remonstrance of Dr. F. Moylan, R. C. Bishop of Cork, addressed to the Catholics of his Diocese, "and particularly the lower Orders." Dated Cork, 16th April 1798.

"But whilst I exhort you, my brethren, patiently to endure whatever portion of evil, in the general distribution of Providence, may fall to your share; I would have you not unmindful of the blessings you enjoy, and the favours you have received: certain privileges excepted, you possess the advantages of the constitution. The penal laws, under which our fathers groaned, have been almost all done away. You have the comfort of exercising your holy religion without control; and to the benignity of government, and to the liberality of parliament, we are indebted for the establishment and endowment of a Roman Catholic college, on an extensive plan, which will afford a liberal education to our youth, and a supply of clergy to our church, when the present generation have finished their career: these are blessings—these are favours, that should excite and call forth our gratitude; and this gratitude we should evince by a steady at-charges to their several districts—they all speak of it "as a test required by the legislature from the Catholics of England" and "to be subscribed," to use Dr. Talbot's words "without scruple or difficulty." If scruples and difficulties be now raised therefore—and if those scruples and difficulties be imputed to Catholics by their opponents as justifiable reasons for withholding from them, at present, the objects their petition, is it unreasonable to institute inquiry? What Sir, is the language of the legislature in contemplation of this object? Our English Act of 1791 declares it to be expedient that such persons as shall take the Oath of Allegiance, Abjuration and Declaration, shall be relieved from some of the penalties and disabilities of former statutes.—The Irish Act of 1782 declares, that those who have taken the prescribed oaths "ought to be considered as good and loyal subjects." It is therefore, Sir, in the letter and spirit of these Acts that we are called to inquiry, and if it can be shewn that the non-compliance with the provisions of them have resulted from causes within our power to obviate consistently with security to the establishment, in the name of God, let us hasten to remove them, and by every effort in our power seek to unite every fellow subject "to each other by mutual interest and affection;" but, let not the enquiry be stigmatised with imputed motives founded on the very opposite principles of those which dictate it.

Sir J. H. then proceeded to state that he had requested information from the several clerks of the peace of 29 of the 40 English counties, including those of the most considerable Catholic population—such as Lancashire—Yorkshire—Northumberland — Staffordshire — Shropshire, &c. — the metropolis and its vicinity.—It had been admitted, he observed, by a Roman Catholic prelate, that the Catholic population of Great Britain was little short of half a million; bishop Milner had indeed stated it only at half that amount—of the accuracy of either he would not pretend to judge, but he would state such facts as did not admit of a doubt:—there was no doubt but that the Catholic population, comprehended within a circle extending 10 miles from the metropolis, exceeded 80,000, yet the number of those who had taken the oaths since the year 1791 (the date of the English Act) in the county of Middlesex did not exceed 97; and including the neighbouring counties of Surrey, Kent and Essex, only 77 more were to be added. In stating this fact, sir J. H. observed, that it was incumbent upon him to say also that he was fully persuaded that no admonitions have been wanting on the part of the Catholic prelate who presided over the London district.—Nor has the King a more loyal subject than bishop Poynter, nor the church of Rome a prelate more free from any bigotry or prejudice which can injure him in the estimation even of a Protestant.—It is assumed by Catholics that the Catholic population of the county of Lancaster exceeds 40,000; yet by the returns of the clerk of the peace within the same period, 454 only had taken the oaths.—In the county of Northumberland 96.—Of the 15 counties of the Midland district, subjected to bishop Milner's spiritual charge, in Staffordshire (the most populous of Catholics) 35 only had taken the oaths—since 1791—in Lincolnshire 85—in Derbyshire 43—in Norfolk 10—in the whole Midland district 504. —Sir J. H. adverted particularly to the city of Bristol, because he had been supplied

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tachment to the constitution, and unshaken loyalty to our gracious sovereign,—a sovereign, who has done more for the Roman Catholic body, and, indeed, for this kingdom in general, than any, or all of his predecessors. I know, beloved brethren, that efforts have been made by evil-minded men, to weaken your attachment to the constitution of your country, and your allegiance to the best of kings, by circulating impious and seditious writings, and encouraging you to outrage and riot; but, in the name of God, why should you be the dupes and tools of these wicked incendiaries?"

The Declaration of the Roman Catholics of Ireland, in the year 1791, when they were exposed to the pressure of a great part of the penal laws, since repealed, was also highly creditable to their feelings and conduct at that period, when they asserted "That it was not for the Irish Catholics, like public foes, to take advantage from public calamity: they ought to advance their claims at a time favourable to discussion, when the condition of the empire is flourishing and tranquil. They might seem culpable to their country, if, affecting to dissemble what it is unmanly not to feel, they reserved their pretensions in ambuscade to augment the perplexities of some critical emergency."

with the admission of the senior priest who presided at the Catholic chapel in that city, who stated that the number of Catholics within his charge were about 1,500, though upon the medium calculation of deaths, sir J. H. observed, that they ought to amount to a population of 2,790—but taking it at one or the other number, those who had taken the oaths at the sessions at Bristol, since the Act of 1791, amounted only to 4 persons; in the neighbouring county of Somerset 33, and in the county of Gloucester 1.—After particularizing other counties, sir J. H. observed, that the whole English Catholic population of the 29 counties from whence the returns had been received from the clerks of the peace amounted to 1,835, and that the remaining counties of England and Wales must, in respect of Catholic population, be comparatively inconsiderable. Of the number who had taken the oaths in Ireland, sir J. H. observed, that he had not made any adequate enquiry. The result as far as respected the county and city of Cork, furnished by the clerks of the peace to a friend whom he requested to make the enquiry, amounted in the city to 948, and in the county to 5,500, from which last number about 1-5th was to be deducted having taken the oaths more than once, on account of qualifying to exercise the elective franchise,—the whole population of the city and county of Cork was moderately estimated at 650,000. From the city and county of Dublin, sir J. H. said, he had no particular returns—as the fee of a shilling per name had been demanded of the person making enquiry, but it was asserted, at the office, that the number of those who had taken the oaths amounted to between 3 and 4,000.—Such is the result, Sir, of the information (continued sir J. H.) that I have received,—information no doubt as far as it goes, to be relied upon—but very remote from affording the proof or presumption of that universality of compliance with the test which has been so generally asserted and very generally credited.—Need I ask, will such evidence satisfy parliament and the people—and has not parliament a fair claim to be satisfied as to the extent of conformity to its legislative provisions, when that conformity is assumed as the ground of concession? I have not indeed introduced this inquiry among the heads of information enumerated in the motion, although I consider it to be a proper subject of investigation. It is incumbent upon me at the same time to avow, that I am not disposed to infer from this deficiency of numbers a deficiency of loyalty among the Catholic subjects of his Majesty. I know many have considered the prescribed oath as objectionable on principles purely conscientious, and wholly unmixed with any disloyal prepossession; but surely the facts which I have stated will be considered by many to be of grave consideration,—at least while they are not supplied with adequate information to account for the deficiency.*

With these observations, Sir, I shall dismiss this part of the subject, and return to those which constitute the more immediate objects of the motion; and here, Sir, I must call to my aid the recorded opinion of a noble baron, who has given so much consideration to this subject—and who, with so much eloquence and force of argument, has so often supported the claims of the Catholics in another House. "Whenever this great measure shall be adopted"—said the noble baron in moving the question on the 27th of May 1808—"let it not be one of hasty and inconsiderate concession, on which the pressure of the times shall stamp the character of weakness,—consider with what measures it ought to be accompanied—what course of policy is necessary to render its benefits effectual:—what safeguards its adoption may require."—My right hon. friend, who introduced the Bill may possibly say,—"have we not provided such safeguards on the face of the Bill, and in the proposed clauses?"—I must answer, Sir, that agreeing in the principle of those safeguards, I cannot but object in the unprecedented manner in which they are proposed to be applied;—and here I would ask, has there yet been a single document produced to satisfy the House, and the public (who are not inattentive observers of our proceedings) that we are pursuing the most advisable means to secure the object of our legislation—to demonstrate, to Catholics and Protestants alike, that the safeguards we seek are of unobjectionable and reciprocal operation—that they offer security to the Catholic, as well as to the Protestant, against the encroachment of a foreign jurisdiction, and are sanctioned, by irrefragable authorities?—It is not less incumbent upon us to convince our Catholic fellow subject that we seek not the degradation of his religion, than it is to assure the members of the establishment and other denominations of Protestants, that we are alive to their security. It is to this end, Sir, that I wish to direct the attention of the House, and I will pledge myself to produce such documents which shall have a just claim to influence our proceedings, as being supported by the unerring test of experience.

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* The following is a more particular return from the communications above referred to:—In Cambridgeshire, 2; Derbyshire, 43; Huntingdonshire, 0; Leicestershire, 2 priests, 9 lay Catholics; Lincolnshire, 85; Norfolk, 2 priests, 8 lay Catholics; Northamptonshire, 1; Nottinghamshire, 13; Rutlandshire, 0; Shropshire, 19 priests, 9 lay Catholics; Staffordshire, 35; Suffolk, 4 priests, 39 lay Catholics; Warwickshire, 97; Worcestershire, 5 priests, 211 lay Catholics; from Oxfordshire no return was made. The preceding fifteen counties constitute the middle district, of which bishop Milner has the spiritual charge as vicar apostolic—Total 504.

In Bristol, 1 priest, 4 lay Catholics; Co. Chester, 3 priests, 21 lay Catholics; Devon, 5 priests, 27 lay Catholics; Dorset, 104; Essex, nuns 9, priests 6, lay Catholics 13; Gloucestershire, 1; Hants, 124; Kent, 16; Lancashire, 93 priests, 361 lay Catholics; Middlesex, 14 priests, 33 lay Catholics; Northumberland, 13 priests, 83 lay Catholics; Somerset, 2 priests, 31 lay Catholics; Wilts, 138; York, West Riding, 15, (North and East Riding returns not received)—Total of all of the preceding counties of England 1,835.—In Ireland, in county and city of Cork, 4,400; in Dublin (computed) to be between 3 and 4,000. The period fixed for the enquiry in England, was from the date of the Act of 1791; and, in Ireland, from the date of the Act of 1793.

If there ever were a period of our history when cautious procedure was enjoined by peculiar and existing circumstances, such is the present hour!—As far as intelligence from France, in its actual state, can be relied upon, we are informed in the *Moniteur* that a new Concordatum has been signed at Fontainbleau, and published on the 13th of February last, and that the Pope has, in effect, sanctioned the investiture of the bishops of France by the French metropolitans, independently of the exercise of his own spiritual jurisdiction, in the event of it being withheld, by the Pope, beyond the term of six months.—An admission, which clearly demonstrates the unqualified influence Napoleon must have obtained by intimidation or otherwise, and supplies an additional motive for our circumspection, in reference to communications with the Roman Pontiff, in such cases as have been often adverted to. As to the specific stipulations of the Concordatum, they amount to no more than has been assumed by many Catholic sovereigns when in a state of warfare with the court of Rome, or when the ordinary intercourse with the see of Rome has been, from other causes, interrupted.—At a period which has been even considered as the æra of bigotry and superstition, we have found even Catholic sovereigns asserting the independnce of their national church, as our Catholic ancestors have done—and of which the sovereigns of Spain and Portugal, and many other states, have afforded instructive examples: but of these facts I may have occasion hereafter more particularly to speak; I will therefore with permission of the House, revert to the order in which I shall beg to move the principal objects of enquiry, and beg to call their attention to the ground of that enquiry.

The first object is to examine and report the laws affecting his Majesty's Roman Catholic subjects. Under this head I should distinguish those statutes which were enacted antecedent to the Reformation from those of subsequent legislation; including also such regulations as were considered as deriving their authority from the ancient common law of the realm. In this part of the investigation, we should have little more to do than to have recourse to the perspicuous tract of lord chief justice Coke, introduced in the fifth part of his Reports under the title of Caudrey's Case, De Jure Regis Ecclesiastico, which I noticed on a former occasion, and wherein is to be found the clearest information on this subject, from the earliest period of our history down to the time in which he wrote, citing the resolutions and judgments of the judges, and other sages of the law, together with the several acts of the legislature:—of this valuable work it is very unnecessary for me, especially in this place, Sir, to pronounce an eulogy, and we cannot render a more acceptable service to the public, than by recognizing it in our report, should we go into a committee, thereby giving a more extended notoriety to facts which are but little known to many of those who are so deeply interested in the issue of this question.—In developing the principles of the Reformation, as far as it was supported by legislative acts, we can have no higher authority than my lord Coke, who will conduct us to the period when he wrote, subsequent to the Reformation, with the same luminous precision. And here, Sir, I cannot forbear to call the attention of the House to one fact, namely, that although some of the strongest legislative provisions against the encroachments of the see of Rome, are to be found in our statutes anterior to the reign of Henry 8, the efforts of queen Mary to destroy the work of reformation, were limited to the repeal of those Acts only which passed subsequent to the 20th year of the reign of her father, leaving the statutes of Premunire and Provisors, of Mortmain and every other act of jealous limitation of the Papal influence, in full force. In addition to the aid we may derive from the continuation of the labours of lord Coke, in reference to the latter period, we shall have the assistance of many highly useful compilations of the statutes as far as they affect the Catholics—those of a profound lawyer, Mr. Butler, sir Henry Parnell, and others, will direct us to the statutes themselves with very little industry on our part, and bring us down to the periods of our last Acts of extended toleration—those of 1791 and 1793, statutes indeed abounding with anomalies, and which, did there exist no weightier cause for the institution of such a committee as I propose to move, would, in themselves, abundantly supply a motive. We know that both these acts passed the Houses of Parliament of Great Britain and Ireland with very little discussion—certainly with no adequate discussion. I have often adverted to the monstrous anomaly of leaving the statute of the 13th of Elizabeth in force, which inflicts all the penalties of high treason on the procurers or receivers of any pontifical bulls or rescripts "written or printed, containing any thing, matter, or cause whatever," while we hold out the toleration of all the rites, practice and observance of the Roman Catholic religion: a correspondence with the see of Rome in certain cases, we know to be considered, by Catholics, as essential to their religion: we know also that their prelates must be appointed by such pontifical instruments. In the *forum internum*, or penitentiary, we likewise know that Catholics hold such a recourse to their spiritual chief as essential to the discipline of their church.—The Bill indeed, on the table, seeks a remedy for this oversight in the Acts of 1791 and 1793, but it seeks it in a mode which I am persuaded would cease to be urged, if we were to go into a committee of investigation: we should then be enabled readily to distinguish, from the documents that would be produced, where to draw the line, with security to the establishment, without violence to the feelings of those professing the Roman communion. The oaths also, as prescribed by those Acts, would necessarily become a subject of enquiry, not only in reference to such parts already noticed as objectionable in the estimation of many Catholics, but in other respects.* Many other provisions of those Acts, of the English Act especially, will be found extremely ill calculated to answer the proposed end, as I so recently noticed on the motion of my right hon. friend (Mr. Grattan) when I declared, that it was scarcely possible under the existing circumstances, that those Acts should be permitted to remain in their present state, so replete were they with errors and anomalies, the revision of them, consequently, became a measure of necessity rather than of choice. This revision of the laws bearing upon the Catholics has always been avowed by the friends of concession at least, as of paramount necessity—it was so avowed by my right hon. friend as the ground of his motion in the present session, and we went into a committee of the whole House for that purpose:—need I ask any gentleman what was done in that committee?—was a single document produced to enlighten our enquiries? I may rather ask did we enquire at all? Assertion was opposed to assertion, but no effort was made to substantiate any allegation by proof, and a triumphant majority in favour of the Bill was deemed conclusive that enquiry was an unnecessary expedient. Still, Sir, I must contend that enquiry is not less necessary concurrently with the progress of the Bill, and in my own estimation as I have often contended, no measure should have been taken for the introduction of a Bill until a report of a Select Committee had gone forth to the public, demonstrating the necessity of further legislation, and the grounds on which that legislation should be maintained: as it is, Sir, the Bill may lie over while the enquiry proceeds.

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* In the Committee of the House on the 9th of March, sir J. H., in answer to a reference from the Speaker, stated the interpretation which had been given by Catholics to the last clause of the oath, in the Irish Bill of 1793; namely, "I solemnly swear that I will not exercise any privilege to which I am, or may become entitled to disturb and weaken the Protestant religion and Protestant government in this kingdom."—The construction in a printed note subjoined to the oath, is the following:—"All here are agreed, that to violate the above clause it is necessary to disturb *and* weaken, not only the Protestant religion but *likewise* the Protestant government. They are connected by the conjunction *and*, without any comma after 'religion.' Both must be disturbed *and* weakened not in any manner; but precisely by the exercise of the privileges now granted. In other respects, we are in our former situation as to preaching, teaching, writing, &c. 'Weaken' after 'disturb,' appears rather an expletive than a word conveying a distinct meaning, for it is implied in 'disturb,' as whoever intends to disturb, *à fortiori*, intends to weaken: hence the expression is generally understood, and so it has been explained by every one consulted on it—'to weaken by disturbance:' indeed if *or* was between *disturb* and the word *weaken*, as it was proposed to be, the signification would be changed and inadmissible." This note is given literally from the printed Act. [Coglan, 1793]. Sir J. H. observed in the Committee, that this was a sort of special pleading upon the construction of an oath which ought to have been avoided, and an oath of so complicated a nature, as that of 1793, ought not to have been proposed, and that an oath should be so sim-

The second head of enquiry is—the state and number of the Roman Catholic clergy—their religious institutions, and their intercourse with the see of Rome or other foreign jurisdictions; such as the heads of monastic orders residing in foreign states.—With the great measure in contemplation which the Bill of my right hon. friend is framed to effect, a measure involving so wide a departure from our ancient state policy—it is scarcely possible to imagine that this part of the investigation should be deemed superfluous, but, on the contrary, that it must be considered as indispensible. How often have I read, and indeed recently heard within these walls, of the supposed dangerous doctrines maintained in the college of Maynooth. I have before adverted to the erroneous opinions and judgment pronounced in this respect by characters of the highest distinction, and I have also observed that the production of the class books of that seminary will afford the best test of the truth or error of such opinions: but being produced, as they have been, is it sufficient that they merely lie upon the table of the House?—Among those tracts, we have the professor De la Hogue's, so often and so erroneously quoted as having adopted all the exceptionable canons of the council of Trent; I held them forth as the guides and manual of the priest and student:—it was sufficient to turn to the context of the quoted passage to detect the error of the assertion.* Can we forget the recent and reiterated pastoral charges of some of the most distinguished prelates of our church?

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ple and explicit as not to be open to such subtle distinctions. Sir J. H. observed also, that on the review of these oaths he would ask, whether when the Catholic priest swears to the disclosure of all traitorous conspiracies, it is not generally understood that if treason be disclosed to him in confession, he is bound to reveal it? The Catholic priest in his own honest conception of his duties considers he is not bound, and that he is fortified by the established canonical discipline of the Church of England, which enjoins the minister of the Church of England to conceal all crimes revealed to him in confession. The only exception in the canon being now done away, as there is no crime the concealment of which endangers the life of the person concealing it—not even high treason. Sir J. H. then proceeded to details elucidatory of this position. Those facts which occurred in the Committee on Mr. Grattan's Bill are repeated to evince the necessity of investigation as to the subject of the oaths imposed by both the Acts—that of 1791 and 1793.

* The following passage from the professor De la Hogue's Tractatus de Ecclesia (which was laid before the House on the motion of sir J. Hippisley) was read by the late Chancellor of the Exchequer, "Itaque maximo in pretio illud Concilium (Tridentinum) habere debent omnes Clerici cum ratione Dogmatum sit veluti omnium precedentium synodorum compendium, et ratione disciplinæ merito dici possit Manuale Sacerdotium, vel eorum qui Sacerdotio sunt initiandi." P. 442.

Charges maintaining that idolatry, and sacrilege, and blasphemy, are inseparable from the tenets of the Roman Church—that dispensing with all oaths of allegiance to a sovereign of a different religious communion, and the deposition of such sovereigns, are also held as tenets obligatory upon Catholics, and consequently disqualify them from exercising any charge, civil or military, in a Protestant state.—Is the effort to bring these allegations to the test, and examine how far they attach upon the doctrines and discipline maintained in their class books and inculcated in their seminaries, to be held of no estimation or utility?—I cannot, Sir, but think otherwise, and in that conviction must continue the advocate of efficient but dispassionate inquiry.

To ascertain the state of the Catholic clergy—that of the episcopal order especially, having so great an influence upon those subjected to their jurisdiction, together with the body of parochial clergy, who have the immediate spiritual direction of so great a mass of the population, should necessarily be an object of such an investigation.—These inquiries have heretofore been made under the authority* of government, nor will it be difficult to fill up the interval that has elapsed, and to bring the whole in view of a committee. Under this head of inquiry the state of the monastic orders, though greatly reduced, will still become a subject of important investigation. The policy of the chief continental states, Catholic and Protestant, has long since regarded monastic institutions with a scrutinizing eye, and great reforms were consequently made in every part of Europe.—If the prayer of the petitioners were acceded to, with an exception merely to the restrictive clauses which form part of the Bill on the table, we should virtually recognise all these ecclesiastical establishments.—I am not disposed to object to them under due limitation, nor refuse such a retreat to those of either sex, whose zeal is warm enough to dedicate themselves to such ascetic abstraction from the world—but I cannot assent to this with my eyes shut—I would ask, Sir, would you admit processions of monks and friars to parade the streets of the metropolis?—Is the public mind prepared to tolerate such novel exhibitions?—yet this you must be prepared to witness, if you exteud the restriction no further than it exists in the present Bill, for I should but little calculate upon any prudential influence operating upon such heated imaginations, to restrain the impulse which might possibly seek martyrdom in the frenzy of religious zeal.—Thus, Sir, we may also prepare ourselves to witness the procession of the insignia of municipal magistracy to a Catholic chapel instead of the churches of our establishment*.—However we may be disposed not to interfere with the religion of the individual magistrate, we are to consider the municipal body, in the construction of the legislature, as a member of the establishment; but if unconditional repeal, in the sense and language of many of the petitioners, is to be conceded, we must concede all restraints upon the Catholic, civil and ecclesiastical. Of the monastic societies of female institution, we have had a salutary example of restriction afforded us by a regulation of the French parliaments, which in some of the provinces (I do not recollect whether generally) restricted the profession of females to the age of 25, which was a great step towards checking the chagrin inseparably attendant upon premature or contrained profession. But, Sir, in looking to this part of the subject, before we give a legal countenance to institutions of monastic dedication, it surely behoves us to examine to what extent the concession is to be made. We have the authority even of the greatest Catholic states for the exercise of caution, I may say generally of all of them, and I can produce sufficient proofs, which indeed are in my possession. Are we to look with indifference to the proceedings of that once powerful body, the Jesuits—or rather the ex-Jesuits, in reference to their condition in this country, and whose proceedings in some respects, at the present hour, are regarded with suspicion, and even considered objectionable by prelates of their own communion? I am ready to admit the merit of that body of Catholics as far as they are exercised in the walk of philosophical and classical instruction—their schools and seminaries have been the most celebrated—and their minds are habituated to the task.—We have such a seminary highly protected and deservedly celebrated in this country; but in some respects their zeal has outstripped their discretion, and must endanger, at least ought to endanger, their existence as a seminary of theological education, if not checked in their efforts and in their practice of stepping beyond the pale of their duties.—It pains me, Sir, to speak in such terms of a community comprehending many highly respected ecclesiastics, and in the bosom of which many of my valuable friends have received their education; but, Sir, I cannot sacrifice a sense of duty to personal partialities when a question of this nature is before the House. I should have preferred indeed to have reserved the statement connected with this part of the subject for a Select Committee, but such a committee may not be conceded, although I can scarcely offer a stronger ground for the concession than the existence of the facts to which I allude.* I am speaking of the English ex-Jesuits as an aggregate body, because they are so disposed to consider themselves. The general extinction of the order by Pope Ganganelli is well known, but it is not so generally known that the empress of Russia countenanced the reorganization of the body within her dominions, and a general of the order was appointed, though under restrictions which suited the objects of her policy.*—It has been asserted by ex-Jesuits that since the election of the present Pontiff, Pius 7, a verbal permission, "vivæ vocis oraculo," has been obtained from him for the restoration of the order of Jesuits within this realm, and it seems to be generally admitted that the Russian general of the order is acknowledged by the British ex-Jesuits:—if that be the fact, here is an instance of that dependence on a foreign jurisdiction, which is our business duly to circumscribe at least, if not to interdict. We are, at this hour, in terms of amity with Russia; within how short a period was it otherwise? But, Sir, this is not all that is objectionable: we find that students educated in the English college of ex-Jesuits for the priesthood, are, from time to time, sent to the Jesuits in Sicily to obtain ordination, instead of receiving it at the hands of their own immediate prelate of the district; the prelate therefore has no responsibility attaching to the person thus ordained, and in this view the practice militates against the principle we are seeking to establish by the Bill on the table, namely, by securing the loyalty of the prelates who are allowed to exercise their functions within the realm, to obtain, thereby, security also for the loyalty of those who are admitted to ordination at their hands. I have good authority in stating also, that this procedure of seeking foreign ordination by the ex-Jesuits, as well as the assumption of the re-organization of their body, produced an application from certain English Roman Catholic prelates to the See of Rome for information as to the facts; and it is well understood that the restoration was disavowed by the cardinal Borgia, when at the head of Propaganda Fide, in his answer to the application of those prelates. It should also be stated that the Jesuit procurator general, Angelini, was sent from Russia to Rome during the present pontificate, and at the urgent instance of the queen of Naples obtained the restoration of the order in Sicily, whither the candidates for orders are sent from England for ordination.*—But, Sir, this spirit of extending an influence thus considered so exceptionable even by prelates of their own communion, reasoning, as they do, that the restoration of the order, in itself, must necessarily augment the force of prejudices against the whole Catholic body—this spirit I say, Sir, is discoverable in another transaction of the present hour, which may well awaken also our further inquiries. On the suppression of the order, the property of the Jesuits, every where, was considered to be the property of the state, and as such assumed by the respective governments, allowing salaries as annuities to those of the professed who survived the abolition:† no public act of confiscation, of this description, took place in Great Britain or Ireland, for in neither could Jesuits be recognised as having existence within the realm, in the face of the penal laws. A considerable sum of money however has been secured, arising from the wreck of their fortunes, and 30,000*l.* has been recently transmitted from hence to Ireland, for the purpose of being appropriated to the uses of a seminary of ecclesiastical education.

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* In the year 1800, immediately preceding the union, the government of Ireland, required of the Roman Catholic prelates, answers to queries of minute detail, in regard to their bishoprics—their emoluments, and from what arising—the dignitaries of their church—their income, and from what arising—the number of parishes and their averaged income—the number of curates and their income—of chapters of religious and their income, and from what arising,—and the returns were made to government. It was in contemplation of an arrangement taking respecting the Catholics, concurrently with the union, that this information was required—and the same motive may be reasonably allowed to operate at the present hour. The returns which were then made may be called for by a committee, with such additional information as may be deemed advisable to require.

* Mr. Canning, in reply to this part of sir J. H.'s speech, read the statute of the 5 Geo. 1, c. 4, § 11, incapacitating all persons from holding offices "who should resort to any place of religious worship other than the church of England in the gown or peculiar habit, or attended with the ensigns of his office." If the unqualified repeal of all restrictions whatever be admitted, and such is the object of the greater part of the resolutions of the Catholic assemblies of Ireland, this restricive statute must be abrogated as far as it may affect the Catholics.

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* An exception was taken in the course of the debate, that sir J. H. should have chosen this occasion for the communication of these facts to the House respecting the ex-Jesuits, rather than have made it to the King's ministers.—Sir J. H. however intimated, that on the day following the receipt of the most material part of the intelligence from Sicily, he had communicated the original letters to his Majesty's principal Secretary of State for the Foreign Department, and also to several members of the House.

* The empress Catharine appointed ex-Jesuit Benislasshi, coadjutor bishop of Mohilow—Father Carew was appointed provincial of the order, and the habit was reassumed and novices admitted. It has been asserted that Pius 6 secretly countenanced the restoration of the order, but to avoid giving offence to the Catholic sovereigns of Europe, in whose states the order had been suppressed, had authorized his nuncios to disavow it; and it is indeed certain that when the news of the appointment of the general of the order arrived at Rome, the Pope directed the publication of an article in a Gazette authorised by the Secretary of State, expressing his disapprobation of the measure in very strong terms, and that "so far from it being authorized by a pontifical act, it was to be considered null and void, because directly opposed to the declarations of the Pope, and to the intentions evidently manifested by his holiness."

It is scarcely necessary, Sir, to insist upon the obvious impolicy of countenancing a measure so opposite to the principle which gave birth to the institution of Maynooth, where authority is vested in the great officers of state, conjointly with the senior prelates of the Catholic communion, to watch over the establishment. What better appropriation can be made of funds, arising from such a source, than to encrease the means of the college of Maynooth, in providing a nationally educated clergy to administer to the increased demands of the great Catholic population of Ireland: the means afforded by government are known to be inadequate to supply a sufficient number of clergy to answer the reasonable claims of the population, especially for the service of a church, wherein the ritual offices are so multiplied, and where the conscientious scruples of those in communion with it have also a just claim to be consulted. I own, Sir, I cannot account for the policy of restricting the means of Maynooth, as we have seen it restricted, as every sound end of government, in the existing circumstances, is to be obtained rather by its increase than reduction.

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* The number of English and Irish who had been received in Sicily by the ex-Jesuits since their restoration, with a view to obtain holy orders, was nineteen—of these five have returned in orders, two died at Palermo, and nine remained at Palermo in January 1813.

† We may readily suppose that the proceedings against the Jesuits in many parts of Europe were governed by much prejudice—the influence of that prejudice, at any rate, has been so permanent and general, that Catholics must have very little discretion, who could wish to revive an establishment of professed Jesuits within a Protestant state. By an Arrêt of the parliament of Paris of the 6th of August 1761, more than 50 publications of Jesuit authors were condemned, and burned by the common hangman; among them many of the works of cardinal Bellarmine, Molina, Mariana, Suarez, Tanner, Person, Escobar, &c.—The judgment was in these terms—"Seront lacerés et brulés en la cour du Palais, par l'executeur de le haute justice, comme séditieux, destructifs de tout principe de la morale Chretienne, enseignant une doctrine meurtriere et abominable, non seulement contre la sureté de la vie des citoyens, mais même contre celle des personnes sacrées des souverains." The list is given in the 1st vol. of Seabra's Provas da Deducçao, &c.—Lisbon 1768.—In stating this fact, it is, however, just to observe, that the opinions of Mariana were also condemned by a provincial congregation of Jesuits at Paris, in 1606, and the condemnation ratified by the general of their order, Aquaviva. The faculty of the Sorbonne also condemned the deposing doctrine of Mariana in the same year, as "an unlawful and ungodly position."

The third head of enquiry comprehends the state of the laws and regulations affecting his Majesty's Roman Catholic subjects in the colonies of Great Britain. His Majesty's instructions to the several governors, together with extracts from the acts of the colonial assemblies, will readily supply the information required under this head. I have before adverted to the regulations in Canada as far as they respected the monastic institutions, and particularly those of the Jesuits. It is my purpose to move for the production of such parts of the instructions as apply to this subject, in order that they may be referred to a committee should it be conceded.*

The fourth and last subject of inquiry are the regulations of foreign states (as far as they can be substantiated by evidence) respecting the nomination, collation, or institution of the episcopal order of the Roman Catholic clergy, and also the regulations of their intercourse with the See of Rome. If this, Sir, be considered as a wide field of inquiry, it must be allowed that it comprehends information of the highest interest and utility in reference to the question before us. But, Sir, to demonstrate how readily that information may be produced in a committee, I have selected the documents already procured on the subject, and which in themselves are sufficient to answer every purpose of the inquiry. In fact, Sir, I have brought them with me into the House—many of them are upon the table* and at hand, that gentlemen may be satisfied of the facility of resorting to it. And here, Sir, it is incumbent upon me to inform the House, that a great part of that information has been procured with the concurrence, and I may say by the express authority of the noble viscount on the opposite bench, the Secretary for the Foreign Department. I have often adverted to my intercourse with the noble lord, during a period of nearly two years, antecedent to the Union, on the subject of the regulations which his lordship and myself concurred in opinion were of advisable adoption in contemplation of the arrangements which were then considered to be on the eve of taking place; regulations, which, in substance, were countenanced by the authority of every foreign state, of whatever religious communion, where a dominant religion was upheld by the laws. Conceiving, Sir, that the production of further evidence in support of these facts might eventually be of useful application, especially in such a committee as is the object of the present motion, I requested of the noble viscount introductions to each of our ministers accredited to foreign courts, which might countenance my wishes to be furnished with the verification of such information as I had obtained by less formal means, and also to supply me with such further documents as they could obtain on the same subject. The noble viscount was pleased to favour my application, and the result has been the acquisition of many valuable documents, and information of unquestionable authority, not merely confined to the particular state which was immediately the subject of inquiry, but extending to what I may term the civil and ecclesiastical polity of every state in Europe, in reference to the see of Rome, and in confirmation of the principles I have uniformly maintained to be of indispensible obligation in legislating upon the subject before us. The valuable and extensive information afforded by sir Charles Stuart, his Majesty's envoy, and a constituent member of the regency of Portugal, I am bound upon this occasion to acknowledge, as it, in itself, goes to the extent of what was desirable to be ascertained, and supplies the proofs that every Catholic state in Europe has acted upon those principles, and promulgated, at various periods, such ordinances as ought to be consulted as authorities, in framing securities against the encroachments of a foreign jurisdiction. The same mass of information supplies the proofs also, that where, as I have before noticed, the sovereigns themselves, from bigotry or timidity, have shewn but too ready a propensity to bend to the yoke of the Roman Pontiff, a spirited resistance has been manifested by their people, and even by the immediate organs of their governments—such as the French parliaments—ever ready to support the national independence:—such also has been the spirit pretty generally shewn by the states of the German empire. But Austria, and Spain, and Portugal, and Naples,—the states of Venice, of Florence, of Savoy and Piedmont—in a word, as I have before noticed, every Catholic state has given proofs that they have known how to repel the encroachments of the See of Rome, by interposing such barriers as we now seek to accompany the grant of further concession to the claims of the petitioners. I am the more anxious, Sir, to substantiate these facts by evidence, as the cry of the day on the part of the Catholics, especially in another part of the United Kingdom, and who seem to be but bad supporters of the interests of Catholics, is concession without restriction—"simple repeal" as they term it—unqualified acquiescence in their demands: and a learned prelate of the Roman communion whom I have often occasion to name, bishop Milner, who but a few years ago was so forward to reprobate such unprecedented claims, seems now to be equally forward to support them. It is not necessary to retrace the aberrations of this learned prelate from the course which he for a time so laudably pursued,—it is sufficient to repel such pretensions by demonstrating that in all ages there is no example of compliance on the part of any government:—that there is no example of collation or institution being given to prelates of the Roman communion in the unqualified terms that such Catholics would prescribe:—that there is no example of an intercourse being maintained between the See of Rome and the subjects of any state, whether in communion with Rome or otherwise, where the government of that state—I mean to be understood where there exists any dominant church establishment—does not maintain its right of controi over such an intercourse by licence and inspection of correspondence at its pleasure—the exception of the *forum internum*, or penitentiary, is a concession from the crown, not an abstract right to be maintained independently of government.

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* Sir J. H. on a subsequent day moved for various documents under this head, which have since been printed by order of the House:—His Majesty's instructions to the governors of Canada particularly referring to the monastic orders and the property of the Jesuits, &c. are among these papers.—Also the instructions to the governor of Jamaica, to shew that colonial governors are vested with the office of ordinary, or ecclesiastical judge, with the collation to church livings—an office held to be incapable of delegation.

* It will be recollected that this collection of documents stated by sir J. H. to be ready for production, was represented, with more wit than truth, to consist of a fanciful series of polemical authors, involving an endless labyrinth of pursuit. The fact was, that only such papers were collected as contained the ordinances and regulations of foreign states relating to this head of inquiry, together with the regulations of our colonial governments. The theological class books had originally been moved for by Mr. Ryder, without any concert with sir J. H.; as he had also moved the call of the House.

In proof and illustration of these positions we have the evidence of the most accredited writers—of Catholics—the luminous ecclesiastical historian Dupin, and even the class books which prescribe the course of ecclesiastical education: those of the Sorbonists, Hooke, Bailly, Collet and Tournelly. I mention these, as I before mentioned professor de la Hogue, because those authors are expressly named in the returns to parliament from the president of Maynooth. So I may speak of the German writers Zalwein and Schram, both Benedictine monks, whose works have been long sanctioned as class books, by all the Catholic universities of Germany, anterior to the French revolution—both those authors contend for the right of the sovereign in both these points, or for the right of chapters, as in Germany, where "the election of the prelates is for the most part vested in the chapters, independently of the See of Rome—as decidedly as it is maintained in Protestant states." The latter of those writers, Schram, in his Institutiones Juris Ecclesiasticæ, speaking of the 'placitum regium,' or the right of the sovereign to inspect and authorize the publication and execution of Papal rescripts relating to discipline, observes, "that its use is established in France, in Spain, in Portugal, in the kingdom of Naples and Sicily—the Belgic provinces, and formerly in England, and its necessity was asserted by the emperor Rodolphus in an edict of 1586, accompanying the promulgation of the bull *in cœna,* wherein the emperor decrees generally that no pontifical bulls shall thereafter be committed to execution without his previous knowledge and approbation."—Father Schram concludes this head with this observation,—"Nor can we admit that the 'placitum' is a concession from the apostolical see, for we maintain that it is an essential and inherent right of sovereignty, which no individual monarch can surrender to the prejudice of his successor in the state of which he holds the government."—This, Sir, is the inquisitorial power—the Star Chamber process so loudly denounced by bishop Milner, and by assemblies of Catholics in another part of the United Kingdom. Let it, nevertheless, Sir, be our office to act upon the salutary advice which bishop Milner himself held out to his colleagues of the episcopacy; let us by the report of a Select Committee, "enlighten their people, and shew them how grossly they have been imposed upon, both as to facts and reasoning." Such was the wise counsel given by that prelate, when the anonymous writers in Ireland first denounced the resolutions of their prelates in 1799, and which denunciations are now echoed in the resolution of provincial meetings in opposition to the sound principles and practices upheld in every state.

Sir J. H. then detailed the resolutions of the four metropolitans and six senior Roman Catholic bishops of Ireland in 1799, in consequence of their official communications with lord Castlereagh,* then chief secretary, and which corresponded precisely with the concessions which bishop Milner in 1808 declared he had no hesitation to say, that the prelates were still disposed to ratify:—that the substance of those resolutions, as asserted by the noble viscount, were not imposed by government on the prelates, but that the concession was their spontaneous act; and that to the present hour, by no solemn or formal declaration had they controverted the principle admitted in those resolutions: that it was impossible, for a moment, seriously, to entertain the distinction of "inexpediency" in the view of the Irish Catholic prelates, as applicable to the principle of that admission: that they could scarcely suppose that the concession was to be maintained or withdrawn, *ad libitum,* according to their construction of a friendly or unfriendly administration, though upon this hinge alone it was, that the question of expediency or inexpediency, as avowed, was made to turn.—Sir J. H. then proceeded to state, that he was ever averse from treating with the prelates upon these points, as there would always be found persons who were ready to give a sinister construction to their admissions, and to refer their motives, as had been done, to a timid and even corrupt acquiescence in the mandates or wishes of a court:—it was sufficient to ascertain the boundaries of the essential discipline of the Roman church, and it was unnecessary to overstep them, or to resort to the prelates to obtain that information: nor was it necessary to exercise the imagination in devising novel securities, as we had only to look to authentic precedents—to precedents established even by Catholic states and equally adopted by Protestants. The regulations, which he had so often noticed, contained in the edict of the empress Catherine in 1782, were but the transcripts of ordinances subsisting in many Catholic states. Such too were the regulations of Prussia—of the states of the United Provinces—of Sweden, &c. But to satisfy the minds of Catholics as well as Protestants on this head, it was only necessary to advert to the works he had already mentioned, of authors whose orthodoxy, as Catholics, could not justly be questioned, as they had the sanction of the first ecclesiastical and juridical authorities.—The Tentamen Theologicum of Pereria—a Divine and Royal Censor of the Court of Lisbon—the Deducçao Chronologica of the jurist Seabra* might be added, as well as the succession of theses uniformly maintained in the universities of Coimbra, and the Sorbonne, all which inculcate the soundness of the principle contended for—namely, domestic security from foreign encroachment: to effect this end, all those regulations have been invariably sanctioned by foreign states, and are no other than those, which sir J. H. said, he had often proposed as the basis of regulation at home, and the principle of which in fact are recognised in the draft of the additional clauses now engrafted on the Bill before the House, though hampered with qualifications, which in his estimation rendered them of objectionable, if not of impracticable operation. Those which the wisdom and policy of other states had adopted were simple and unfettered—they were rooted in the indefeasible rights of government, and were not to be weakened by clamour or bigotry. The member of the establishment who entertained doubts upon this subject, would find them satisfied by resorting to the tract, already cited, of lord chief justice Coke—'de Jure Regis Ecclesiastico,' in the 5th Report—and also in the tracts of archbishop Bramhall, particularly in that entitled 'Schism guarded' printed at Dublin, in 1675. The regulations so often adverted to are therein detailed, and asserted to be sanctioned by the practice of every considerable state of Europe. The same facts are recognized in an interesting work first printed in 1704, entitled 'A Proposal for Catholic Communion,' and recently reprinted: it is stated to be written by a minister of the church of England—but it is well known to have been written by Dr. Brett, who afterwards became a Catholic; of course the work derives an additional authority from that circumstance, as the rights of the sovereign are strenuously maintained on all the essential points which are now at issue in this question.

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* Vide lord Castlereagh's speech, May 10, 1810, vol. 17, p. 194.

* Many extracts from these publications of Seabra and Pereria will be found in sir J. H.'s 2nd Letter to the earl of Fingall—[Murray, 1813.] It has been observed that these works were compiled under the influence of a court violently opposed to the Jesuits: let the objection have all its weight, but let the documents of regulation also be adverted to in the same works, which were promulgated in other states, and which are not less decisive in support of the same principles, than the edicts of the court of Portugal at the period of the abolition of the order of Jesuits.—In the Appendix of documents annexed to the Speech of an illus-

With such lights in our hands, (continued sir J. H.) it surely is not difficult to direct our steps to ultimate and equitable legislation. We contend for a negative upon the appointments of the Roman Catholic prelacy—a principle conceded as equitable by the most ancient of the prelates, but resisted with clamour by those who have taken upon themselves to become the arbiters of the will of the Roman Catholic population of Ireland. The King, it is well known, has exercised even the positive appointment, through the organs of the governors of our colonies where the Roman Catholic episcopacy has been recognized: no objections have been taken to this exercise of his authority—the See of Rome has invariably expedited

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trious personage, in the course of the last session, we find copious extracts from the works both of Seabra and Pereria. "I have heard it stated (said his Royal Highness in his speech) that this was not the moment for granting what they ask: my answer is —THAT WITHOUT LIMITATION, which can only be taken into consideration when we go into a committee—CERTAINLY NOT." His Royal Highness proceeds to state facts which are well to bear in memory, as the speech has been so often the subject of grateful panegyric in assemblies, which almost in the same breath have voted resolutions diametrically opposed to the sentiments and facts recorded in the speech itself.—The avowal of subjection to the emperor Mauritius by Pope Gregory:—the admonition of St. Bernard to Pope Eugenius not to interfere in temporal concerns:—the oaths of fidelity taken by popes to the emperors, cited by Charlemagne:—the abolition of all Papal authority in Spain, by Charles 5, when Pope Clement 7 made a league with Francis 1: the fact of queen Mary, who in repealing the latter statutes of Henry the 8th, applied the safeguard, that the Pope's bulls and briefs were merely to be confined to spirituals. Such are the facts stated by his Royal Highness in this speech, and the documents in the appendix go further to prove that sovereigns have taken upon themselves to become the paramount judges of their rights, and have exercised them at their discretion, authorising an unlimited ecclesiastical jurisdiction in the persons of their metropolitans, without recourse to the See of Rome, whenever Popes have been in declared hostility to them—or have been inaccessible from other causes, or when a schism has prevailed in the church. Where are to be traced in these authorities the sanction of a *de jure* unqualified concession? But it is endless to advert to the inconsistencies of such declaimers, with whom can be rationally held no common principle of accord, except in the manifestation of respect for the illustrious personage, who has guarded a speech of so much ability and information, with such high and apposite authorities of wholesome example.

the spiritual faculties demanded in consequence of such nominations: I have stated an instance where these were withheld by the See of Rome, at the desire of the crown, to give time for further consideration of the eligibility of a candidate—Canada, St. Domingo, and Malta furnish the examples—and the King's instructions, and correspondence of his governors, will supply the official proofs and details. We can recur to the joy expressed by the Canadian Catholics on his Majesty's appointment of M. de Briaud to the see of Quebec: in addition to the official correspondence announcing it, the account is given in the Chronicle of the Annual Register, and every Roman Catholic bishop and coadjutor has since been appointed by the same authority.

It is such facts, Sir, that I wish to see recorded on the report of a select committee. I have sketched the outlines of the four heads of enquiry to which I am desirous to call the attention of the House, and I should hope that it was unnecessary to insist at much further length, on the utility of such a report going forth to the public under the authority of parliament, —thus opposing uncontrovertible facts to the idle declamation and unfounded assertions which we read, from day to day, in the public prints, the results of ignonorance, or something less pardonable, but which operating upon the uninformed public mind, are capable of disquieting many conscientious Catholics, and ultimately to lead many turbulent spirits to acts of open violence. By urging such a measure, I am told, Sir, that I seek delay, and that delay may be ruinous to the Bill now on your table; I seek, Sir, adequate information—and for the benefit of the uninformed, of whatever religious communion, my object is to see it embodied in the report of a select committee.—In avowing my purpose, I wish to ask of the candour of the House whether I have not been uniform in my declarations. I need only advert to the detailed statement of the objects of such a committee which I pressed upon the attention of the House in the debate on the motion of my right hon. friend two years since—at a period when I was honoured with the confidence of a large proportion of the English Catholics, and was induced, at the instance of a deputation from that body, of the highest consideration, to become the advocate of their claims in parliament. Differing in opinion with some of them as to the mode and extent of concession, I have since thought it my duty to withdraw myself from that responsibility, but they will do me the justice to own that I have never swerved an iota from my original view of the subject, nor held a different language than that I hold at the present moment. In speaking to the motion of my right hon. friend, at that period, I made use of the same arguments, and had recourse to the same facts I have stated this night. I then urged that I considered the circulation of such a report, in the interval of the sessions, as an indispensible measure—and that I trusted that a similar committee would be constituted in another place, with the assistance of the prelates of the establishment, who necessarily ought to take a material part in such an investigation. The differences of opinion among the Roman Catholic prelates themselves, I then urged as a further motive for such an investigation—not, Sir, with a view to polemical controversy, but to ascertain the facts on which they were at issue, and how far they were cognizable by municipal regulation.—Those differences at any rate confirmed the soundness of the opinion I had ever entertained, that negotiation with the prelates, in the view to a satisfactory adjustment, would be but of little promise. The answers of the six universities, recognizing the integrity of the social, civil and political principles of Catholics, as Catholics, and as subjects of a Protestant state, I then also noticed would become an important subject of inquiry, as far as respected the authority by which they were substantiated, especially after the doubts expressed by a right hon. and learned member (Dr. Duigenan) as to their authenticity.—I then produced the original documents to the House, and suggested the utility of recognizing them, when verified, in the report of a select committee, together with similar documents of different periods, but of perfect uniformity as to the obligation of civil and political duties. Such, Sir, was my declaration at that period, with an intimation also that the adoption, qualification, or even rejection of the claims of the petitioners would thus derive a sanction (if in conformity to evidence) not to be found in the result of loose discussions, whether in the House itself or in a committee of the whole House—and that the expedient was too rational to be questioned by any but those who were determined to resist inquiry in any shape whatever. I now think it fortunate, Sir, that these declarations remain of record, where they will bear me out by their uniformity with the opinions which I have this night avowed, and which have influenced me to submit my present motion to the judgment of the House. It has been my object, attended with no inconsiderable labour, to simplify these inquiries, and to render the production of the necessary evidence as light to others as the collection of it has been onerous to myself. I have said, Sir, that there now lies, upon the table and within these walls, all that is essentially necessary to accomplish the object of such an investigation, though it may be desirable officially to verify a part of them by recourse to the public offices and *vivâ voce* evidence.* Such testimony, indeed, I am myself competent to give in support of much of the necessary information, derived under peculiar circumstances to which I have frequently adverted, and which can be attested also by the personal knowledge of many of those now in the House. In differing in opinion with so many of my friends with whom I have long run the same course, I must necessarily feel much regret; but as I am conscious, in no respect, of swerving from the consistency of my original principles, I must be content to bear with their reproaches, rather than sacrifice my feelings to participate in the momentary triumph of a possible majority, which may be ready to sanction concession without such an inquiry. But, Sir, fixed as I am in my own opinions, I am wholly unapprised of the intention of any member to second the motion I have stated to the House. An honourable friend near me, some time since, intimated an inclination to render me that service, and if high character and intelligence could have given additional weight to the object of such a motion, I should have had an unquestionable right to have claimed it, had I been so fortunate as to have had his concurrence; but, Sir, I am to forego that advantage. My honourable friend thinks that the motion should have been earlier made, so as not to have risqued, in his estimation, the progress of the Bill now before the House, and I will not arraign his motives. I own, nevertheless, that I have been rather anxious to delay the inquiry till the call took place, wishing to submit it for discussion in the fullest House. I have ever invariably proposed to report the evidence taken in a select committee for the purpose of affording the most satisfactory information to the public, before we proceeded to legislation—and even considered that the interval of the sessions was little enough to allow that information to take its full course. If I fail this night in my object, I shall nevertheless think it my duty to revive the motion, in the same terms, in the ensuing session, in the conviction that such an inquiry is essential to give effect to the memorable resolution of the last parliament. Its object is not the object of a party; and the supporter and opposer of the claims of the Catholics may indifferently give their support to the motion, each in the persuasion probably that his own opinion will be sustained by the results of the inquiry. On whichever side the truth lies, it should be our object to develope it. To secure the proceedings of the Committee from any embarrassing results from a conflict of opinions, its duties should be limited (as indeed it would necessarily be, unless further authorised by the House) to the report of facts and evidence submitted to them; namely, the authenticated documents in support of the distinct heads of inquiry which are enumerated in the motion, and which, I conceive, must be admitted to bear an interesting and important relation to the ultimate object of our deliberations. Let us, Sir, call to our recollection how seriously some of the most eminent prelates of the establishment are at issue even on facts, as well as opinions, so materially affecting the civil integrity of so large a portion of their fellow-subjects, amounting, as so often stated, to a fourth or fifth part of the whole population of the United Kingdom. Can we forget their parliamentary speeches, and diocesan charges so pointedly contrasted to each other? What, Sir, is to determine the public mind,—so uninformed as it is,—but the result of such an inquiry?—Let us look, Sir, at the publications daily issuing from the press,—representations circulated through the post also, addressed to the members of this

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* The official intercourse between lord Castlereagh and the Irish Catholic bishops in 1799 is clearly stated, and some of the documents are subjoined to the speech of the noble viscount on the 25th of May 1810. His lordship's evidence, in a committee, to verify the facts before they were stated in a report, would be of necessary recourse.

House, with a view to influence the decision of the question, and even the very walls of our streets defaced with calumnies. And here, Sir, I think it my duty to say a few words in reference to a paper circulated with the name of one Crowley, stating himself to have been a student of Maynooth, and to have abjured the Catholic religion, disavowing and denouncing all its tenets, and among them, also, tenets which the established church hold in equal veneration, as identified with its existence. The power of the keys is of this description, though abjured, in its extent, by this zealous reformist!—The church of England has little cause to pride itself on the acquisition of such converts, and the church of Rome as little to mourn their loss. Looking also, Sir, on the other side of the question, to the proceedings of aggregate and provincial assemblies of Catholics; to the resolutions of their episcopal synods; to the declarations of the avowed agent of their prelates, circulated as they have been in the public prints, and not without considerable impression on the public mind—when we view, Sir, the reprobating comments of this learned prelatical agent, on the actual proceedings of this House, and consider also that he presides over the Catholic population of 15 English counties, I would ask, shall we go on without enquiry, indulging the vain hope of pacification in giving legislative enactment to the Bill before the House, while its provisions are thus reprobated, and while we are told by Catholics themselves, that the re-enactment of the penal laws would, in their estimation, be more eligible than the chains with which we are about to bind them? It is not, Sir, that our progress is to be peremptorily arrested by such vague and ill-founded clamour; but, I contend, Sir, that inquiry—minute, substantive inquiry, is enjoined as a duty, whether we proceed to legislation or withhold, for a time, our purpose. We are in candour bound to state the ground on which we would fix our barriers, and demonstrate to the Catholic and the Protestant, that we wish to consult the fair feelings and even the allowable prejudices of both, respecting alike their conscientious scruples and their security. The Catholic has already gained much by the cursory discussion of his claims in parliament. It is well known that a noble earl, who bears great sway in his Majesty's councils, has avowed that the question has been much narrowed by discussion, and that none of those obnoxious tenets were, in his estimation, imputable to Catholics, for which they are stigmatised by the voice of popular prejudice. If the Catholic be persuaded that it is prejudice alone which opposes the accomplishment of his object, it is for him, at any rate, to invite the minutest inquiry; the obstacles which remain may be found to exist rather in the apprehension, than in reality; by inquiry we shall command a knowledge of their substance and bearings—our path would be comparatively smooth—we should no longer have occasion to shift our ground nor to shape our course in deference to popular prejudices, but disregard them in whatever order of the people they might be excited. We have only to look back to the course we have already trod, to satisfy ourselves that much is yet wanting to insure the steadiness, and mark the dignity of our proceedings. In one session we contend for concession, regulated by the *Veto* of the crown:—we are then told that the mass of Catholics are determined to resist the measure which their bishops had assured us was just, and ought to be acceded to:—in the next session we bend to the popular feeling, and take the ground of domestic nomination, as the sure bond of peace. The Catholic prelates meet in synod, and they resolve that this popular desideratum borders on schism, and that the "idea of making the election of bishops national, by confining the election to chapters, or to chapters and metropolitans, would subject their religion to the most serious disadvantages."—Here, Sir, we see the prelates are at issue with the great mass of their own clergy, and both orders are at issue with parliament. I own, Sir, I cannot feel the force of these apprehensions of the prelates respecting domestic nomination by chapters, and still less can I admit the inference, "that such elections, by chapters, would, most probably, lapse into the sole and positive appointment of the crown."*—I should reason very differently, and were it necessary to interfere in those details of their discipline, but to which interference I am averse, I certainly should feel myself disposed to countenance the elections of the prelacy, by chapters, subject to the approval of the crown, as the most congenial with the objects which both Catholics and Protestants might rationally propose to themselves in the ultimate adjustment of this great question. But, Sir, to return to our parliamentary course—foiled in both these propositions, so far, at least, as being obliged to abandon the pleasing anticipation of gratifying the feelings of the Catholic—we in the next place proceed to support unrestricted concession—for such, in fact, was the tendency of the arguments of the principal supporters of the claims of the Catholics the last session of parliament. In the present session, the Bill, as originally introduced, has the same tendency—restrictions were afterwards suggested by a right hon. member, then withdrawn and modified, and at length, incorporated with the Bill, though opposed to the opinions of many who support it, who think that any restriction is unnecessary. I would ask, Sir, had the whole subject been before us in the digested report of a select committee, is it probable that such would have been our course? I think otherwise:—we should have readily seen the line of demarkation—how far to go without trenching on the essential discipline of the Catholic, and how to give rational security to the Protestant:—we should have found that both the objects were strictly compatible, and have regulated our progress, not by the popular cry, from whatever side proceeding, but by the prescriptive, sound authorities of other states, as zealous to maintain their civil and religious freedom, as our own. I could say much on the subject of the oaths already prescribed, and that which is again proposed.—In answer to a call from great authority in this House,* on a former occasion, I stated the interpretation of an essential part of the oath of 1793, as held by Catholics, though, as I conceive, but little according with the construction and opinion of the House. I will not, at present, go further into this part of the question, though most essential to be distinctly understood, and I certainly shall think it incumbent upon me to move an amendment of the oath whenever it comes before us. After trespassing, at such length, I necessarily must feel a due sense of the indulgence of the House, although from the murmurs I have heard near me, I cannot but express my fears with my regrets, that I shall be deprived of the support of so many of those friends with whom I have been accustomed to act on many former occasions, with an unity of sentiment in the discussions of this great national question. Reserving myself, Sir, for any further observations which I may think it necessary to make upon what may occur in the course of the debate, I will now, Sir, beg to move,—"That a select committee be appointed to examine and report the state of the laws affecting his Majesty's Roman Catholic subjects, within the realm:—the state and number of the Roman Catholic clergy, their religious institutions, and their intercourse with the See of Rome, or other foreign jurisdictions:—the state of the laws and regulations affecting his Majesty's Roman Catholic subjects in the several colonies of the United Kingdom:—the regulations of foreign states (as far as they can be substantiated by evidence*) respecting the nomination, collation, or institution of the episcopal order of the Roman Catholic clergy, and the regulations of their intercourse with the See of Rome."*

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* Resolutions of the Roman Catholic prelates of Ireland assembled at Dublin, February 26th, 1810.

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* Vide sir J. H.'s observations on the oaths, in reply to a reference made to him in the committee of the House. Parliamentary Debates, vol. 24, p. 1223.

* Note—Various official papers have since been produced, on the motion of sir J. H. and printed by order of the House, containing the regulations respecting the Roman Catholic clergy, in several states of Europe and in the province of Canada, &c. particularly as to the exercise of a controlling power to regulate the intromission of pontifical rescripts, &c.

* The Editor is requested by sir J. H. to subjoin the following note, received with the corrections of the preceding report:

" The notes of the preceding report of sir J. H.'s speech, were originally taken, in short-hand, by Mr. Farquharson, (whose ability in his profession is well known) as it was then proposed to have given them to the public in a detached form:—the misrepresentation of the object of the motion was so general and predetermined, that such a course seemed advisable, especially as the object involved considerations of the deepest interest. The variation from Mr. Farquharson's report has been chiefly in transposition, to bring the subject more distinctly in view. No fact has been suppressed, or added. If the concession of a Select Committee involved delay as affecting the progress of Mr. Grattan's Bill, it must be recollected that, in Mr. Canning's view of the subject, on the 2d of March, preceding, the Bill, as was stated, might advantageously stand

Mr. *Ryder* seconded the motion.

Mr. *Grattan* rose, he said, for the purpose of opposing the proposition of his hon. friend. He certainly should feel a considerable degree of difficulty in answering the speech with which his hon. friend had prefaced his motion; not on account of any force or cogency of argument observable in it, but from its extraordinary length, and the immense extent of the subjects which it comprised. He begged leave, however, before he entered into the consideration of his hon. friend's speech, to return him his most sincere thanks for the great services he had on former occasions rendered to the cause of religious liberty—services which never could be forgotten, and which rendered it painful to be obliged to differ from him on the present occasion. His hon. friend now proposed, that a Select Committee should, in the first instance, be appointed, to examine the state of the laws at present affecting the Roman Catholics. Connected with this subject, there were four other propositions, embodied in the same motion, the whole of which proceeded on the supposition that the House were ignorant with respect to the Catholic question. His hon. friend must surely have forgotten that 20 years had now elapsed since the question was originally discussed, and that 20 years had already been consumed in this inquiry. Could he not call to his recollection, that it was brought before parliament, in 1791, again in 1792, in 1793, in 1795, in 1805 (on a motion made by Mr. Fox,) in 1808, in 1810, twice in 1811, and three times both in 1812, and 1813? Had he forgotten the part he had himself taken in those different discussions, as well as the various books he had published on the subject? Was it possible that he had lost all remembrance of the victories he had gained—of the adversaries he had put to flight—of the theological arguments which he had conducted, so much to his own honour, and so decidedly to the discomfiture of his opponents: Would he now contend, for so, in effect he did, when

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over to the following session of parliament, after it had attained the length of a second reading; Mr. Plunkett's opinions were also declaredly in favour of qualified, and, in some respects, of protracted legislation. It is scarcely necessary to insist on the advantage to have been obtained from the circulation of such a report as was proposed by sir J. H.'s motion, in preference to the mere copy of a Bill, with the restrictions, unsupported by any authority or precedent to relieve the apprehensions of the uninformed and misguided public, whether Protestant or Catholic. But for a moment let us admit that the Bill had passed into a law:—how little would it have produced that spirit of conciliation, so warmly contended for by the advocates of the Bill. Let us advert to the resolutions of the Catholic Board, and of the aggregate and provincial meetings of Catholics in Ireland:—to the synodical resolutions of their prelacy—all diffusely circulated through the public prints—"No restriction"—"No security"—"No concession"—"Simple, unqualified repeal"—these are the conditions of acquiescence pronounced in all these assemblies, and accompanied with terms of the strongest reprobation of the conduct of those public men who fall short of these conditions in their estimate of the measure of concession. The recorded language in condemnation of the Bill, in its progress in the House, held by a Roman Catholic prelate, accredited as the agent and organ of the body of the whole Catholic prelacy of Ireland, and himself an apostolic-vicar, in England,—has been adverted to in the preceding pages:—we know that his efforts to defeat the Bill have been sanctioned by the unanimous suffrage and acknowledgments not only of his immediate constituents, but likewise of the Catholic Board and aggregate and provincial meetings in Ireland, down to the present hour. Such then is the general feeling of the Catholic body as far as can be collected from the voice of those assemblies in respect to the Bill,—and we find no contrasted voice to raise a doubt respecting the generality of that feeling. By an extended circulation of a report of such documents and evidence, as probably would have been recognized by the authority of parliament,—the uninformed or misguided Catholic might have been instructed that the essentials of his religion were not compromised in a question of legitimate jurisdiction;—and the apprehensions of the Protestant might likewise have been relieved in the contemplation of securities sanctioned by the soundest precedents of authority, enabling him, in the spirit of one of the most enlightened Protestant divines [archbishop Bramhall], to distinguish between the tenets and essential discipline of the Church of Rome and the usurpations of the Roman CURIA."

he stated that the subject was not understood by the House, that all his labours had been useless, or was it by a very strange excess of self denial that he wished to forego the fruits of those victories and fight his battles over again, giving his enemies ground for claiming a triumph where they had sustained signal and complete discomfiture? No, this was impossible; his hon. friend's motion was defeated by the services which he had performed, his very successes in this way deprived him of the power of now saying that the country was uninformed upon the subject. Under what circumstances were they called on to accede to this proposition? A resolution had been passed, in which the House stated, "That it was advisable to make provision for the repeal of the remaining penal laws." And what was the motion of his hon. friend? "That a Committee should be appointed, for the purpose of inquiring into the grounds on which you, the House of Commons, have resolved that it is so advisable."—After a debate, which continued for several days, the House came to this conclusion, "That it was highly advisable to provide for the repeal of those laws;" and now they were called upon to enter into an examination of the principles by which they were influenced.—With all respect to the House, he would suggest that such a measure would be little short of a disavowal of their own act; if they adopted it they would tacitly say that they regretted their admitting the introduction of the present Bill.—They would avow that their resolution was precipitated.—The hon. baronet had confessed, that if the effect of his motion should be to get rid of this Bill, he thought it would be so much the better. Now, it would be for the House to determine, whether it would be right to get rid of the Bill in such a manner. The question was not whether the House would go into this Committee merely, but whether they would reject the Bill then pending. That, and that only, would be the effect of such a proceeding. It would not be a rejection for six months, or for a session, but it would be a rejection for an indefinite period. The whole question of Catholic liberation would be postponed—not, as he had already observed, for a certain period—no, it would be postponed till all the penal laws were examined. Not merely those laws which were enacted since the Reformation, but those which were made before it—not only our own laws against Catholics, but the proceedings in colleges and ecclesiastical courts, and all the controversies on doubtful and disputed points.—To demand of them to examine the laws affecting the Roman Catholics, was, in in effect, to ask them to do that which, in respect to time, could not be done for a very long period. And, could it be supposed that any rational man would agree to a measure, which must inevitably put off the adjustment of this great question for ten, or even for twenty years, or could it be supposed that any person who wished for the success of the Catholic cause would be satisfied with such a delay? Could it be supposed, that the Catholics could be contented that their claims should be kept back for nine or ten years, until a committee had made a report upon the immense mass of matter which the hon. baronet wished to refer to them? His hon. friend had alluded to the proceedings in the case of the Slave Trade, and observed, that the legislative proceedings, on that occasion, were preceded by the labours of various committees. But it should not be overlooked, that that question was first agitated in 1788, and the Bill was not passed till 1807, a period of 19 years, during which time incessant appeals were made to the justice and humanity of parliament.—In fact, if the motion were granted, they would do worse than reject the Bill; because they would do it with a sort of apology, which stultified themselves, by a confession of ignorance, which they ought not to evince on any subject, and which, on this particular subject, they could not be supposed to possess. He objected to this intended exhibition of the penal laws, because it was not necessary with a view to their repeal, and much matter was contained in them, which was calculated to produce discontent and irritation. It was on this ground that an hon. gentleman on the other side of the House had opposed the production of a book which enumerated a considerable number of the penal laws still in existence. That hon. gentleman was of opinion, that no benefit could result from such a statement of grievances. But they were now called upon to do that by the committee, which in the particular instance referred to had been refused, and themselves to furnish those topics for animosity by holding forth to the public as Acts in force, those which were in fact and in practice, obsolete. This committee would not only revive the odious name of the penal laws, but it would answer a variety of other purposes. It would be a judicial committee, in which the charges against the Catholic bishops would be investigated; and whatever the result of such an inquiry would be, he conceived that it was one not at all consistent with the dignity of the House. It would not perhaps actually tax them with disaffection to the government, but it would certainly, whatever might be the extent of their suspicions or accusations, put them and the whole Catholic body on their trial, and this on the suggestion of an individual. The committee which the hon. baronet proposed, was not merely to examine the acts of religious councils, but it was likewise to be a committee of diplomacy, for it was to examine all the acts which had been done by foreign states upon this subject; and until their report could be had, no Bill was to be brought in for the relief of the Catholic, or the security of the Protestant.—After this laborious investigation, a report was to be drawn up; and, until that report was made, no Bill, for the relief of the Catholics, and the security of the Protestant, could be introduced. Therefore, on the same principle which induced him to seize the opportunity of bringing in the Bill, he must oppose a motion which would have the effect of frustrating every thing that had already been done. In stating the necessity of thus opposing his hon. friend's proposition, he could assure him, that he felt the highest respect for him, personally—and that he gave him full credit for the great service he had rendered the Roman Catholic body,—services, which no difference of opinion could ever obliterate from his mind.—Having said thus much, he thought it was necessary to state, briefly, the nature of his Bill; and the more so, because it was said, that it had given great offence in Ireland, and created a flame throughout that country. This assertion he positively denied. As far as his correspondence extended, the Catholics, in general, were, he believed, well pleased with the provisions of the Bill; the great body professing the Catholic religion were ready to receive, thankfully and gratefully, whatever the House of Commons thought proper to grant; and they were willing to give every security, provided it did not trench on their religious principles or their civil rights. The order of the day was for the second reading of the Bill for the relief of the Roman Catholics. That Bill consisted of four parts:—It began first by conceding the right to sit in parliament; it secondly communicated the privilege of voting at elections for members of parliament; thirdly it gave to the Roman Catholics corporate rights; and fourthly, it also opened to them civil and military offices. It was, in fact, what it was intended to be, a Bill of incorporation. There were many penalties now existing in the books, but which were never enforced; and it would, of course, be desired that they should no longer exist even in the books. The main object of the Bill, however, was a communication of rights and privileges to the Catholics, under such restrictions as should be considered sufficient securities for the Protestant church. By giving the Roman Catholics great political privileges, in common with their Protestant fellow-subjects, they would be incorporated with them; their present disabilities would be rendered of no avail; and the remaining penal laws might be swept out of the statute book at any future period. It was said, that some bodies of Catholics not only disapproved of the Bill, but had reduced their objections to the form of resolutions. He (Mr. Grattan,) in consequence of this report, made it his business to enquire very minutely into the fact, and he found that the statement was not true. He learned that the Catholic Board, which was more particularly alluded to, had entered into no such resolutions; that Board had not sanctioned or adopted the sentiments imputed to them in the public papers.—And, therefore, the argument founded on the assumption that they had, was not tenable. It was an argument resting on a report, which report proved not to be founded in fact. When the Catholic Board were apprised of the successful motion which had been made in support of Catholic emancipation, they returned thanks to those gentlemen who had taken the lead on that occasion, and who had been entrusted to frame the Bill. They met a second time, but no act of theirs could be construed as an abandonment of their former approbation. At their last meeting, they merely resolved to send an additional number of delegates to London, but they expressed no dislike to the measure proposed, for the relief of the Roman Catholics.—Having, in the first instance, thanked those who were instrumental in bringing in the Bill, it was not to be inferred, because they intended to dispatch delegates to London, that they, therefore, felt dissatisfaction at the measure.—And, if the parliament were never to pass an Act in favour of the liberty of the subject, because some newspaper opposed it—or to come to an amicable understanding with the Roman Catholics, because some individual priest thought fit to set his veto upon a particular measure, it would be in vain to think of ever adjusting those differences. Even if the proceeding excited some local dissatisfaction, still, he contended, they ought to go forward. A great measure ought not to be abandoned, because the newspapers, or a few individuals, opposed their declamation to that which would produce public concord, and minister to public security. The whole conduct of the Roman Catholics shewed, that their gratitude kept equal pace with the benefits which were conferred on them. There seemed to be a regular principle of action and re-action; and, in proportion as the legislature advanced towards them with feelings of conciliation, they appeared most anxious to afford every facility and accommodation in their power. If they acted on this principle, they would withhold from the Catholic body what they demanded, and to withhold it with justice, they must fasten on them the imputation of discontent as a body; but that could not be done. Their letters all breathed a spirit of conciliation which did them infinite honour, and supplied proof of the security of their friendly resolution. They had met advance with advance, and there was no reason for either party to recede. He conceived that the Catholic body had fairly met the disposition manifested by the House to attend to their claims. As it was a general principle in natural philosophy, that re-action was equal to action, so it was found, that as soon as parliament evinced a wish to meet the question, a correspondent wish was manifested by the Catholics to come to an accommodation. On those objections to the Bill which appeared in the newspapers (although he would not allow that they came from the Catholic Board) he should make some observations. They appeared to him to be founded in complete mistake and misapprehension. The first objection was, that the Bill did not give the Catholic peer a right to vote at the election of peers. This, however, was a mistake; the Bill did grant that right, on the new oath being taken. The Act of Union already qualified every Irish peer to vote for the peers to sit in parliament, provided that they took the same oaths which must be taken by the sitting peers. The present Bill made such an alteration in the oath as would allow the Catholic peer to take it, and the new oath formed the qualification for the sitting member, and, being taken by the Catholic peers, generally, invested them with the right of voting. It was next asserted, that the bench was not included in the Bill. But how could this be supposed, when the Bill specifically stated them to be "eligible for all civil offices of trust," with the exceptions stated. The same observation would apply to the objection of the Catholics being excluded by the Bill from corporations. They would not be excluded. The Catholics were, by this Bill, admitted to all corporate rights. But it was objected that though their disqualifications might be removed by the provisions of the Bill, still they would be excluded in consequence of bye-laws. Now the bye-laws alluded to, were those which at present imposed the Oaths of Supremacy and Abjuration on those who became members of a corporate body. But by the present Bill those oaths were removed, and no corporation could continue them, contrary to the law of the land—therefore the Bill did grant corporate rights and privileges. It was also contended that Catholics were by this Bill excluded from colleges and prevented from becoming guardians to Protestants. Neither of these assertions were better founded than those which he had already referred to. The Bill only excluded them from being on what was called the foundation of Protestant ecclesiastical colleges. In this respect it was thought proper, that the law should stand as it is at present. Neither would the Catholics remain excluded by the present Bill from the power of being guardians to a Protestant; and a recent decision of lord Manners made it doubtful, whether they could be so excluded as the law now stands. These, he believed, were the principal objections to the Bill; but they were not made by the Catholic Board; they were objections which arose to the minds of individuals—but he had no hesitation in saying, that they were unfounded.—If, by the Bill, the Catholics were admitted, 1st, to the right of election; 2d, to corporate rights; 3d, to franchises; 4th to the bench; 5th, they were not excluded from colleges; and, 6th, they were not prevented from acting as guardians to Protestants.—On the whole, it was a Bill of incorporation—a Bill granting substantial emancipation to the Catholics—and, at the same time, affording ample securities to the Protestant establishment. Another objection had been made, that the Bill did not go upon the general principle of liberty of conscience, and did not comprehend other classes to which the Catholics wished the same extension of civil liberty. In answer to this objection, he should put it to the House, whether the committee would have been justified in framing their Bill upon an abstract proposition of this nature. They conceived that they were bound only to consider the case which the petitioners had stated, and that they were not at liberty, by introducing other matter, to deprive the Catholics of their own case. If they had done so, the committee would not have known how to venture to face the House with a Bill upon a principle so different from that which was expected from them. The great object of the Bill was the adjustment of the claims of the Catholics; but the principle and soul of it was their incorporation with the Protestants into the general body of the empire. It was for this reason that the repeal of the penal laws was an object of far inferior importance; the great question was, the repeal of those oaths which now prevented the incorporation. In fact, the committee had abstained from touching much upon the penal laws, as that could have no other effect than to bring forward a great quantity of irritable matter. The repeal of those laws, would be doing nothing without repealing the oaths. It was alleged, that they ought to have introduced a Bill, containing a specific repeal of all the penal laws. In that case, they would have been under the necessity of proceeding by a numerical enumeration of those laws, a mode to which he had many objections. The great object which they had in view was a conciliatory adjustment of the Catholic claims; and incorporation formed the very soul and essence of that adjustment. The laws which operated to prevent that incorporation, were those that enforced the taking of the oaths. The gentlemen who formed the Bill thought it better to remove those laws, without specification, by introducing new oaths; and he considered that to be a final adjustment, by which those obnoxious Acts, although not mentioned by name, were rendered null and of no effect. If they had pursued a different course, and introduced a numerous detail of the penal laws, they would have been compelled to bring forward matter of a very irritable description. Without removing those test laws, nothing could be done; but by setting them aside, all the other Acts were rendered of no avail, and left to be done away by the legislature at any future time. This was the principle which was acted upon in 1797, in the Irish parliament. In the Bill brought in at that period, a clause was inserted, repealing the Test Act. That Bill was sent back from England, that particular clause having been expunged, and they were obliged to pass the Act without this provision. In the Act of 1793, the Irish parliament did not state, numerically, the laws which were repealed. They proceeded on the principle now adopted, and administered great constitutional rights to the Roman Catholics. Having thus acted, with the best motives and intentions, they hoped for the support of the House. Having stated that the present Bill gave emancipation to the Catholic, he had next to state the securities it gave to the Protestant. Those securities were to be found principally in the exceptions which were to be found in the Bill, and in the alteration of the oath. 1. The first was, the exception of the situations of lord chancellor of England and lord lieutenant of Ireland, which were withheld from Roman Catholics. The office of lord chancellor comprised a great deal of ecclesiastical patronage; and the lord lieutenant of Ireland was the representative of the King, who must be a Protestant, independent of which circumstance he possessed very considerable ecclesiastical gifts. 2. The second exception related to the right of holding advowsons, or presenting to livings. Where any Roman Catholic possessed an advowson, Protestant commissions were appointed to superintend its disposal. 3. In the third place, all officers in ecclesiastical courts were excepted. 4. The fourth security is the exclusion of the Catholics from all ecclesiastical courts of judicature. 5. By the fifth, all courts of appeal, or review of ecclesiastical matters, were likewise excepted. 6. Catholics were also excluded from situations in ecclesiastical schools. 7. They were prevented from any interference in the disposal of Protestant benefices. 8. All foreign Roman Catholics were excluded from any episcopal authority within these realms. 9. The ninth security is the exclusion of non-resident native Catholics from such ecclesiastical duties and functions. 10. The tenth security consisted of an oath containing a great variety of clauses. By it the Catholic swore to his allegiance, and abjured the supposed regicidal and deposing power of the Pope. It also abjured the temporal power of his holiness in those countries—the infallibility of the Pope, as an article of faith—and the principle that no faith was to be kept with heretics. By it the Catholic deposed, that he would support the Protestant succession, and the present state of Protestant property—that he would discover all plots and treasons which came within his knowledge—that he would not make use of any power he obtained in the state, either to its injury, or to the overthrow of the Protestant church; and that, in the nomination of any bishop or apostolic vicar, no man should be chosen, with his consent, of whose loyalty and tranquil disposition he was not convinced, and the clergy were also to swear, that in the election of persons to be recommended to the apostolic functions, they would never choose any persons whose loyalty and good conduct were not known to them. The oath also bound him to hold no intercourse with the See of Rome, which, directly or indirectly, could disturb the Protestant church in England, Ireland, or Scotland; and that his intercourse with that See, should be purely of a spiritual nature. He was aware, that some gentleman would inquire, why the oath was so very long and particular? To this his answer was, that those who drew up the present Bill, found a part of that oath already established. They did not wish to alter a single article of it, as they felt it their duty to increase and not to diminish the securities now existing; therefore they had made a variety of additions to it, comprising every point which was connected with the safety either of church or state. The present oath was generalised; it was not necessary for a Catholic clergyman to take the former oath, unless some office were conferred upon him; but the oath being generalised, it would now, by law, be necessary for every Roman Catholic in the United Kingdom to take it. They had therefore added to the present oath the obligation of disclosing treason, and of not recommending any clergyman whose loyalty was not well known. They had also extended the application of the oath. The former oath was only required to be taken on the acceptance of some office. The present oath, however, was proposed to be extended generally to the clergy as well as to the laity. These then were the securities. Whether the House would consider them to be sufficient, he knew not. But great securities they unquestionably were. A right hon. gentleman, he begged leave to call him his right hon. friend (Mr. Canning), had suggested some additional clauses. He proposed the appointment by parliament of Protestant commissioners, with power to withhold their assent to the nomination of those bishops and apostolic vicars of whose loyalty they entertained any doubt, and also with power to inspect the papers and books connected with those nominations, with a proviso that they should be bound not to betray the secrets of the Catholic church. These clauses would amount to a complete security for domestic nomination. His right honourable friend had touched the subject with a delicate hand. Those appointed to frame the Bill had not introduced the clauses into the Bill, not because they disapproved of them, but because they did not know how far the Catholic body might approve of their introduction. For his own part, he thought that they were liberal in their nature, and that they ought to be received. He would now say a very few words on the general merits of the Bill now before the House. It would no doubt undergo some alterations here. But such as it was, it amounted to a plan of perfect domestic security and liberality—a plan, the result of painful and anxious inquiries—a plan, for the accomplishment of which the greatest statesman of this country had struggled in vain—a plan, that he trusted at no distant period would be completed. If, however, the motion of the hon. baronet were acquiesced in, and this committee should be appointed, he should not dare to hope to witness the fulfilment, not only of his wishes—not only of the wishes of the majority of this House, but of the wishes of the majority of the nation. This was a Bill of Catholic emancipation, in which were provided three main securities for the Protestants; the first and greatest was incorporation; the second a positive bar against domestic Catholic influence; und the third an effectual provision against foreign Catholic interference. This measure, they submitted, ought to receive the sanction of the legislature—parliament had already pledged itself to concede—it has already declared that it was expedient to repeal the laws which deprive a great portion of their countrymen of privileges they ought to enjoy for the sake of producing general harmony, security and happiness. Let parliament, then, fulfil the pledge it had given to the nation without being diverted from its obvious duty by motions like that to night proposed: the Bill was before it, nor could any solid objections be urged unless by those who are enemies to Catholic privilege and Protestant security. The right hon. gentleman then moved the other orders of the day.

Mr. *Ryder* observed, that the right hon. gentleman opposite had contented himself with stating, that from all appearances the whole of the Roman Catholic board would be satisfied with the intended Bill. But what, he would ask, would satisfy the Protestants, should this Bill pass into a law? By it the lay corporations, the courts of justice, the army and navy, and even the cabinet, were to be open to the Roman Catholics without any additional security. The Bill of the right hon. gentleman contained indeed, an oath to be taken by Roman Catholics, but this could not be considered as an additional security for the new advantages granted, since it went no farther than the oath contained in the Bill of 1791, and in the Irish Bill of 1793, in favour of the Roman Catholics. As however, the Bill of the right hon. gentleman was to come under discussion, he would not trouble the House by premature objections, but confine himself to the motion of the hon. baronet opposite, which deserved serious attention; the more so, as the hon. baronet had always been one of the most strenuous supporters of that cause, and his doubts came of course, with more weight than from one of its accustomed opposers. (Hear, hear, hear, from the Opposition benches). He was at a loss to guess, what the hon. gentlemen meant by those ironical cheers? He was sure the hon. baronet had always proved himself the best friend to the Catholic cause; and that, by his conduct on the present occasion, he had not forfeited that title. A great stress had been laid on the boasted securities provided by the Bill; but they did not appear to him sufficient to induce them to depart at once from those which had been provided by our ancestors, until the information pointed out by the hon. baronet had been obtained. When monastic institutions were formed unknown to government—when a sum of 90,000*l.* was already subscribed for a Jesuits' college, would any one say that no enquiry was necessary, or that the result of such an enquiry might not induce the House to make some changes in the Bill? Much had been said of the gratitude of the Catholics for past favours, as a sample of what we might reasonably expect from them for more substantial ones; but what was the fact? Out of a population of half a million of Roman Catholics in England, 5,000 only had taken the oath of allegiance prescribed in the Bill for their relief. When it was known that Roman Catholic priests ruled over their flocks with such a despotic sway, how strange must it appear that they should have been disobeyed, when they recommended to the people under their spiritual care, to take the oath of allegiance to a Protestant sovereign. Another most important point was to guard against the undue influence of the See of Rome; and when it was considered that the uniform practice of the House was to take the utmost care to obtain every necessary information before they came to legislate on any important matter, it could not be supposed that information should be considered as less necessary on the present occasion. On all important questions, and waiving all other precedents, on the affairs of the East India Company, the House had thought it necessary to appoint a committee for previous enquiry, and the right hon. gentleman opposite himself had strongly and repeatedly urged the appointment of one on the Catholic question. His language was then, "Go into a committee, hear what the Catholics have to say, hear their demands, and the securities they have to offer."—(Hear!)—From that cheering, he supposed that the hon. gentlemen opposite considered the committee named to prepare the Bill as a committee of enquiry, but it would be so only in their own imagination. No previous enquiry had been made, and the House must recollect, besides, that the right hon. gentleman opposite (Mr. Grattan) had promised to have the Bill brought in and printed before the holidays, in order that it might be fairly considered; which promise he had not kept.—(Mr. Grattan, across the table, denied the assertion.) There might be some mistake, and he was most willing to take the right hon. gentleman's word, but then his ear must have strangely deceived him. This was the first instance of the House deviating from its usual practice of enquiry in important cases, and it would be the first time that a Bill, altering the fundamental law of the land, should have been read twice in a week without any such previous enquiry. A more mischievous course could not possibly be devised, as by it the House would be necessarily deprived of every source of information. He did not mean to impute any improper motives, but he must say, that if it was from the fear of any discovery to which discussion might give rise, a more mischievous experiment could not have been made. He would now vote for the committee, because it would produce delay. It was, in his mind, impossible, when the House considered the Bill, that it should pass a second reading. If there ever was a Bill that demanded serious consideration, it was that of the right hon. gentleman's, because it was in a most peculiar degree calculated to excite the passions of the people. If they came to a decision upon the subject, they should at least come to it after the most deliberate enquiry. It was for this reason he would support the motion of the hon. baronet.

Mr. *Canning* rose, and before he proceeded desired that the motion might be read; he desired that the resolution moved by Mr. Grattan in April last, and then negatived, might be read also. These documents were accordingly read, the former by the Speaker, and the latter by the Clerk at the table.

And, said Mr. Canning, it is after this (Mr. Grattan's) resolution for referring the Roman Catholic petition to a committee, has been negatived by a majority, of which my right hon. friend (Mr. Ryder) was one, that he comes forward this night to support the motion of the hon. baronet; and to accuse those of inconsistency who disapprove of that motion! I really do wonder at the versatility displayed upon this occasion by my right hon. friend, a versatility not at all belonging to his general character; but entirely owing, I must presume, to the helplessness of his cause. Nothing in my recollection of parliamentary tactics ever surprised me so much as the tactics of this evening. When I heard the hon. baronet express a doubt, whether his motion would be seconded, I confess that I felt some surprise: but when that doubt was removed by his finding a seconder in my right hon. friend, my surprise was indeed of a different description, but much greater in degree. The nature of the hon. baronet's motion, the manner in which it has been supported, the attempt made to impute inconsistency to those who dissent from that motion, because they see plainly that it can mean nothing but delay, after the House has, by no equivocal majorities, determined in favour of the principle of the Bill brought forward by my right hon. friend—the still bolder attempt to arraign the determinations of the House itself, and the aspersions thrown on the proceedings of those members to whom the House was pleased to entrust the difficult and sacred duty of framing this Bill—all these things present an appearance in this evening's debate, to which my memory cannot furnish a parallel; and shew how flexibly extremes can be made to meet; and how harmoniously contradictions can be reconciled, to answer a particular purpose.

The House and the country cannot fail to see the tendency of the hon. baronet's motion. It is visible to the world. It calls upon the House to retrace its steps. It proposes, by ambiguous words, to effect an object which cannot but be plainly understood. There is one language proper to be used within the doors of this House, and another without; but it cannot but be plain to the lowest intellect, that this motion, however innocent its author, or disguised its character, can have no other effect than to defeat the Bill to which it refers, and to disappoint the recorded intentions of the House of Commons. Is it possible that the hon. baronet himself should not see his motion in this light? The hon. baronet has been loudly cheered by those who, should his motion succeed, will no doubt indemnify themselves out of doors for their acclamations within, by unconstrained laughter and exultation at the hon. baronet's unintentional defeat of his own (I really believe) sincere intentions, in favour of the cause which he has so long espoused. It is we (the supporters of the Bill) and not those who flatter the hon. baronet into this motion, that are his true friends: they will triumph in his success (if unhappily he should succeed) this night, not from participation in his immediate views, but from enmity to his ultimate objects. The hon. baronet professes to desire a pause for inquiry: they well know that a pause to-night will be a pause of which this session will not see the end.

The hon. bart. tells you that you ought to have all the information connected with the Catholic religion, before you agree to a Bill, upon the principle of which you have already decided. He says that he has thought so for eight years. To attain the information desired by the hon. baronet, a circuit of the world must be taken—every quarter where the Catholic religion is known must be explored. How such an inquiry is to be prosecuted,—by what process this House or its committee can reach the information sought for—has not been explained. But if the progress of the Bill is to be suspended until returns can be had from Africa—until the practice and effect of the Catholic religion in Canada shall be ascertained—until commissioners sent out for these purposes (and I should recommend the honourable baronet himself as one of the commissioners to be selected, if by such appointment I should not have to deplore his absence from this House)—shall have returned; if the committee must continue its office, until the archbishop of Mohilow is brought before it for examination, with his patent in his hand, to explain the degree of his dependance upon the see of Rome—it requires no great sagacity to foresee that the Bill must stand still for more sessions than one; and that this House and the Catholics must lay in a good stock of patience, if they are to look to no end of their anxiety, till this incalculable labour shall be completed.—Looking indeed at the hon. baronet's motion, as it has been announced, it is impossible to say where his proposed inquiry is to terminate—for it is not only all the learned lore which the hon. baronet has treasured up in his own mind that is to be laid before the committee—it is not only (let not the House be deluded into the hope that it is only) the contents of that bursting box which is placed beside your table—but all the theological controversy in existence must be thoroughly sifted and understood before this inquiry can close, if the hon. baronet's motion, such as I hold it in my hand, be indeed to be fully complied with.—Nay, and after all the various branches of his motion shall have been disposed of, the labours of the committee will not be at an end—for at the end of the motion I find a saving clause as follows,—"Sir J. H. proposes to move for various *other* papers to refer to the committee." I am not so wholly unlearned in those branches of study in which the hon. baronet peculiarly delights, as to be ignorant from what original author the hon. baronet derived this style; for I find its archetype in the great Smalgruenus, who first published a treatise '*De omnibus rebus,*' and then added a supplemental discourse, '*De quibusdam aliis.*'

To take the motion in its most restricted shape, does it not call for information respecting the nomination, collation and institution of the Catholic clergy in all Roman Catholic as well as other countries in Europe? The hon. baronet may smile, but will the House be so ready to smile with him, when they learn that this would require at least one hundred folio volumes to be laid before the committee? Can they look forward without dismay to the wading through such a mass of learning—however interesting in itself, or however lightened their toil might be by the able comments of the learned chairman, (such I am sure the hon. baronet would be) addressed to a listening committee or to a despairing *quorum?* One hundred volumes in folio did I say? One hundred would not comprise even the elementary books. They would be but a specimen—a mere scantling. In the first place, there are the works of Saint Augustine, in 11 folio volumes, who was called by Erasmus, '*Doctor ecclesiæ incomparabilis*'. Then there is an author familiar to the hon. baronet; Thomas Aquinas, who was called, '*Doctor angelicus, sive Theologiæ Aquila.*' His works are in 19 volumes folio. Of him it was said, 'animam Augustini migrasse in Thomam,' that the soul of Augustine had migrated into Aquinas. Into whom the soul of Aquinas has migrated this is not the place to enquire. Next comes Duns Scotus, who was called, '*Doctor Subtilis,*' and he was opposed to Aquinas tooth and nail: not with less violence hitherto, have been opposed the hon. baronet and my right hon. friend, (Mr. Ryder).—Duns Scotus only wrote twelve volumes folio in his controversy with Aquinas. But following these writers, who must be consulted, before, as the hon. baronet expressed himself, any one could step over the threshold to the proposed investigation, we must resort to Bellarmine, a name more familiar to us, a great luminary of the church, who wrote '*Circa potestatem Pontificum in secularibus,*' and whose works are comprized in four quarto volumes, which may be read through in a short sitting of the committee. Bellarmine again is opposed by Dr. Milner, and that reverend doctor is opposed by the hon. baronet on this very point *de potestate Pontificum.* I say nothing of the difficulty and perplexity occasioned to this unhappy commitee by such opposition and contradiction of equiponderant opinions.—But in addition to the works I have mentioned, I have another, which must be particularly inspected, which is indeed the very grammar—the accidence—of theological policy—which every member of the committee must have at his finger's ends.—I mean the '*Oceanus juris civilis, sive Tractatus Tractatuum de Ecclesiâ,*" in 29 volumes folio.

After reading these few books, the committee, to attain all the hon. baronet's objects, would be under the necessity of resorting to the examination of numerous individuals, in order to ascertain the universal practice of the Catholic church.—Nay, the Pope himself should be forthcoming; his examination would be very material, to shew not only the existing practice of the church, and also what new regulations his holiness would be willing to make with a view to the conclusion of a Concordat with this country for the future government of our Catholic fellow subjects.

On some points, however, particularly on one which appears to occasion great alarm to the hon. baronet, it was not necessary to resort to distant parts of the world for information.—I refer to his apprehension that the lord mayor and aldermen of London might, after the passing of this Bill, go in procession to a Catholic chapel. Now, by a law of the 5th of George 1, any corporate officers who should proceed, with their official paraphernalia, to any other place of worship than that of the church of England, would be subject to certain penalties, and be for ever disabled from holding such office, and this statute is left untouched by the Bill. Therefore the hon. baronet's apprehension is wholly unfounded in this particular: and for ascertaining the necessity of a provision on this head, his committee is wholly unnecessary.

Another part of the hon. baronet's speech, which appeared to deserve great attention, and to which my right hon. friend (Mr. Ryder) has very naturally been eager to attach more weight than it deserves, related to the establishment of a society of Jesuits in this country. Undoubtedly, that such a society should be established, in this country, after having been abolished in every Popish country in Europe, is a fact of a very alarming nature: but still more alarming is it, that the fact of such an establishment should be communicated, for the first time, to the executive government of the country by a private individual, for the sake of pointing an argument in a debate! but more alarming still to my mind (if it were not so ludicrous as almost to preclude the more serious feeling of alarm) would be the inference which a person of my right hon. friend's wisdom and gravity draws from such a fact, viz.—that the system of laws under which this takes place, is one which must not be touched till you have made a tour of the globe!

Other visions of danger arise to the eyes of the hon. baronet, and are magnified to those of my right hon. friend. The hon. baronet has, with infinite assiduity and industry, collected information, that not more than 5,000 Catholics had taken the oath prescribed by the last Act passed for the relief of the Roman Catholic body. The fact, admitting its correctness, furnishes no valid objection. The statute containing those oaths presents nothing imperative. It is a law granting certain immunities upon certain conditions, among which conditions were these oaths; and those who do not seek the immunities, do not comply with the conditions. But would any considerate man seriously maintain that the neglect to take certain oaths of a public nature furnished any evidence against the loyalty of any man or body of men? If indeed such a criterion of loyalty were established, how many persons would unjustly suffer! Suppose in the case of Protestants that a return was ordered of the number, who in the several districts had taken the oath of allegiance, and that in any particular district, none, or but few, were found to have taken that oath, would any rational being propose, that such district should be placed under a separate system of coercive law? Certainly not. Then upon what principle could any portion of the Catholics be doomed to censure for omitting some oaths which were in fact not oaths of infliction but of qualification? The Bill now under consideration, providing, as it does, a general oath to be taken by all the Roman Catholic clergy, containing an imperative provision with respect to oaths? without any reference to immunity, or any object of advantage to the individual to whom the provision applies.

Such are the only novelties in argument

which the hon. baronet has carried with him to the side of the question which he espouses to night. I give the hon. baronet full credit for having persuaded himself, though I know not by what process of reasoning, that he is not, by his present conduct, essentially prejudicing the cause of which he has so long been one of the most eminent supporters. I am willing to go as far as I can in believing that he has persuaded himself that he is doing that cause a service. But, in the name of common sense, I conjure those who wish well to that cause to beware how they suffer the hon. baronet to persuade them of that, of which he must, no doubt, have persuaded himself. Let them not imagine for a moment, that the adoption of this motion (with whatever good intentions it may have been brought forward) is any thing but hostile to the ultimate success of the Bill. To pause now—to retrograde now—to descend from the pinnacle on which we are now placed, and which commands a view of the affection, the harmony, and the gratitude of our Roman Catholic fellow subjects, would be to lose all the ground that we have gained. That ground once lost will not be easily recovered. "There is a tide in the affairs of men," on the height of which we are now riding towards the accomplishment of our object. The hands of Protestant and Catholic are outstretched to meet each other, and nearly touching. The interposition of this motion, if unfortunately it should be carried, may drive us as far asunder as ever.

And why? for what reason is this mighty mischief to be incurred?—An intemperate paragraph, it seems, has appeared in the most intemperate publication in Ireland. Be it so: but have we no more safe rule and guidance for our own conduct, than the intemperance of an Irish Journalist? Let the House recollect that last year they pledged themselves to take the Catholic claims into their consideration early in the next session. Very soon after the close of that session, parliament was dissolved, and the pledge so recently given was in great hazard of being done away. It happened fortunately, however, that the merits of the question had, from repeated discussions, made so deep an impression on the minds of men, that the new parliament had sat but a very little time before they renewed the pledge given by their predecessors; and by a very considerable majority gave leave to my right hon. friend to bring in the Bill which is now the subject of discussion. We are come to the second reading of that Bill. Is it proposed that the second reading shall be negatived, and the Bill thrown out, because an Irish newspaper has been absurd and impertinent?—That would be foolish and illogical enough—but that, it seems, is not what is proposed to night.—O, no. The Bill is to go on. The motion of to-night is all for the good of the Bill. But somehow or other it so happens that all the sworn enemies of the Bill are highly in good humour with this motion, which is so eminently calculated to promote it—and their reasoning upon it, I suppose, must be this: "because an Irish newspaper is very absurd—let us match it in absurdity by going into the hon. baronet's committee." I really see not in what other way the argument from the Irish newspaper bears upon this question.

But, Sir, the plain truth is, that the enemies of the Bill see they have no chance of throwing it out by a direct opposition, and therefore they would endeavour to get rid of it by a side wind. Accordingly, no mode of attack upon the Bill, independent of the substance and merits of it, comes amiss to it's opponents. One gentleman complains of hurry and precipitation—another of delay in bringing it forward. It has been stated that my hon. friend had given notice that he should bring his Bill forward before the recess. No such thing: he had said, indeed, that if he could hope to get it through the second reading before the recess, he should be glad to have it printed and circulated, that gentlemen might be in possession of the contents. But in consequence of the press of business, and particularly of the inquiry into East India affairs, it was found that it would be impossible to get it farther than to the first reading, and nothing would have been more improper than to send it out to the world in that imperfect and immature state. My right hon. friend, the seconder of the hon. baronet's motion, himself fixed the second reading of the Bill, by fixing this day for the call of the House; my right hon. friend (Mr. Grattan) having declared that he would not move the second reading till the day of the call. Had he done otherwise, what triumphant sarcasms should we not have heard against him for taking the House by surprise, and flying from the test of a full attendance! But after all, how is it possible that the enemies of the Bill should still flatter themselves with the hope of being able entirely to prevent a measure which the House has so unequivocally declared to be necessary? In fact they do not entertain that hope. Delay is all that they now venture to contend for. The language which we heard last session from the learned and right hon. member for the University of Oxford, the venerable magistrate, (sir William Scott) whom I see on the bench above me, sufficiently shewed that in the opinion even of the persons most adverse to unnecessary change, the laws respecting the Catholics could not remain in their present state;—that it was necessary to adopt some measure; and this opinion the House adopted, in giving leave to bring in the Bill of my right hon. friend. In the first instance, my right hon. friend had been divided in his opinion, whether, having obtained his committee, he should proceed by way of resolutions, or should bring in a Bill at once. His adversaries said, "take the manly course and bring in a Bill." He adopted their advice, but as soon as he has done so, they immediately turn round on him and say, "we will have another committee."

What may be the fate of the Bill in this, or in the other House of Parliament, I certainly do not presume to predict: but of one thing I am certain, that if it should happily find its way through this House to the other, it will not there be combated in the miserable manner in which it is attacked by this night's motion. My noble friend in the other House (lord Liverpool) said fairly on this question, "Let the House decide upon the principle, and I won't be shabby enough to dispute with you the details." And still less, I am sure, would he stoop to attempt defeating such a measure by interposing vexatious propositions for delay.

The principle, Sir, which has been agreed upon in the committee, and which the House has confirmed, is, that the disabilities of the Catholics should be removed; taking security that their admission into the franchises of the state shall be in no way dangerous to the Protestant establishments. So far as we have gone, difficulties have vanished, not before vague inquiries into Africa and America, but before discussion. Pursuing the same course, difficulties will gradually disappear, and the public mind will become calm and satisfied. Not that it may not still be possible to hire a corner in some venal newspaper, to undo the work of legislation, and restore the empire to disorder;—if with most unaccountable and unexampled folly we determine that this question, unlike all others, and of all others the most unfit to be left to the mercy of popular discussion, shall in fact be liable to be turned round by every breath of prejudice, or disaffection. Such is not the policy which this House ought to pursue: such is not the duty which this House has to perform. Our duty as well as our policy in the state to which the question has now been brought is, to proceed without further delay to those stages of the Bill, in which it can, consistently with the forms of the House, be moulded into that shape, and receive those additions and improvements, by which its principle is to be carried into most effectual and most beneficent operation. Thinking every moment that is wasted before we proceed to this great work, an interval of unnecessary inconvenience, disquietude and danger, I certainly shall give my vote against the hon. baronet's motion for delay, and for immediately reading the Bill a second time.

Mr. Canning proceeded to say that he could have wished to avoid troubling the House further on this occasion, especially as other occasions would occur more proper for entering into the detail of the provisions which he thought necessary to be introduced into the Bill: but as it might be expected of him that he should not omit to explain generally the nature and object of those provisions, he would do so as shortly as possible. The principle which the resolution of the House, and the committee had sanctioned, was this, that it was expedient to afford substantial relief to the Catholics, with certain exceptions, and under certain regulations.—Now, if the right honourable framer of the Bill had dealt altogether in abstract rights and universal propositions, it might have justly been objected that he had outgone the principle on which the measure professed to be founded. But he had not gone into any extreme of that kind; he had professed his readiness to receive into his Bill exceptions and restrictions which he himself should not have ventured to propose. The amendments which he (Mr. Canning) wished to introduce into the Bill, he had given into the hands of the honourable member (Mr. Grattan,): if he (Mr. Grattan) had thought proper to adopt them, he should have given his most cordial support to the whole measure, without indulging the poor ambition of vindicating any part of it as peculiarly his own.

There were three points to which it was necessary to look. The first was, the ascertaining the loyalty of the Catholic hierarchy; the second was the prevention of foreign interference; the third was the finding some security that our concessions to the Catholic body should not be thrown away, but should be met by a corresponding spirit of conciliation on their part. On the first point; of the Veto he had given no opinion, nor was it now before the House; in his judgment, testimony and not nomination, testimony that the person chosen (no matter by whom) was a peaceful and well-disposed subject, was all that was requisite. The next question was, how this testimony was to be obtained? The difference between his plan and that of the Veto would be, that upon the one this information would be collected privately and anonymously, and upon the other from acknowledged and regular sources. It was his intention to fill up the blanks in his clause with the names of the five oldest Catholic peers, whom he proposed to constitute a commission for this purpose. Their responsibility would ensure to their testimony to the character of the person to be made a bishop, the highest possible authority.

On the second point all parties were so far agreed as to concur in admitting the necessity of preventing foreign interference. It appeared from the hon. baronet's information that night, if indeed it were not before sufficiently notorious, that the existing laws were insufficient for this purpose and it was a consideration well worthy the attention of those who are against making any changes whatever, and who are at the same time in alarm at the power of the See of Rome in this country, that by rejecting the present Bill they would leave the correspondence between the Catholics and Rome unrestrained. There was, it is true, a law in this country which made the receiving of bulls and other instruments from the court of Rome high treason; yet bulls and instruments were continually received, without any notice being taken of them, and this was the state of things which the tremblers at foreign interference would continue! Would the House accept of some such plan, or by rejecting the Bill render the illicit correspondence between the Catholics and the court of Rome immortal? The opposers of the Bill were driven to this dilemma, unless indeed they avowed that they had some measure of unmitigated severity in contemplation; and then the question would be, whether the severity would be more effectual without the boon; or whether we should take advantage of the boon to make the severity palatable? He was not so bigotted to his own particular opinions, as not to change them if good reasons were offered against them; the committee would, however, be the place to enquire into the details. At any rate, the security, allowed on all hands to be necessary to the state, ought no longer to slumber in obsolete black letter.

The third point to which he should now come, was but a short one; it was the obtaining some pledge that our concessions to the Catholics should not be thrown away—that they should be received in the same spirit in which they were granted. "You may pass your Bill,—you may enact and concede what you please; but the Roman Catholics will give you nothing in return. How do you know that your proffered boon will be acceptable to those whom you profess to relieve by it? Have you ascertained the sense of the Roman Catholics on this question?" To such interrogatories he should answer, that it was nonsense to talk of obtaining the opinion of four millions of people individually; and it must be remembered that we had laws, (he was bound to believe wise and provident laws) which prevented the expression of it by delegation. The sense of the Catholics therefore could only be collected by the measure of a parliamentary enactment, and their consequent reception or rejection of the opportunities which such an enactment would open to them. So far however as it was possible to obtain a previous signification of their concurrence he thought that purpose answered by the last clause of his proposed amendments, which enacted that the Roman Catholic lay commissioners should meet, within a given time, after the passing of the Act, and that all the other enactments of the Bill should take effect from the date of the day on which the commission should be constituted. By this clause the *onus* of putting the statute in force was, in fact, thrown upon the Roman Catholics: if they refused to constitute the commission, the whole of the provisions in their favour would, *ipso facto*, fall to the ground. He should not hesitate to say, that so far as his communications with English Roman Catholics had extended, he had found no reason whatever but to believe in, and to hope for, a cheerful and ready acquiescence in the provisions of his clauses as they now stood: some alterations might probably render them still more acceptable; but he believed that no changes in them, made in an amicable spirit, would be seriously objectionable. His knowledge with respect to the Catholics of Ireland did not enable him to speak of their sentiments with confidence: but he had grounds for believing, that though some alterations might be wished for, there was no contumacious or unthankful spirit prevailing among the Catholics of that country: and that, more especially, among those whose opinions were the most to be valued, there existed a disposition to acquiesce in whatever the wisdom and benevolence of parliament might ultimately decide. He hoped and trusted that no turbulent spirit would step in, between the good will and beneficent intentions of parliament, and the acquiescence and gratitude of the Catholics, to prevent a settlement so desirable to the whole empire. This, however, was more than he could be expected to undertake for, or to promise. But he most anxiously hoped, that those who sought to overthrow the Bill that night, would not find themselves able, in the event of their success, to cast the blame upon the misconduct of the Catholics.

Mr. Canning concluded, by exhorting the opposers of the Bill, who aimed at defeating it through the hon. baronet's motion, rather to come forward manfully, and defeat it in the face of day; not to shelter themselves in the cloud which the hon. baronet's learned dust raised around them,—in that misty obscurity which Homer described as "better than night" for evil deeds. If they really thought that we could best maintain the domestic security and tranquillity of the empire upon the anomalies of a tattered legislation, let them avow it boldly; if they admitted measures of conciliation to be necessary, let them not put off those measures till messengers had been sent to the north and to the south, to the east and to the west, and till the hon. baronet, like another Sinbad, should return from a series of voyages of discovery, with an abstract of the manners and customs, the religion and polity of half mankind! For the peace and safety of the country; for their own honour and reputation, he conjured them, if they felt themselves strong enough openly to oppose the Bill, to cast away the armour which they had borrowed from another, and to display their force, effectually and finally, by putting an end to the Bill that night. He conjured the hon. baronet, from whom he said that he had learned all that he knew, and all he wished to know on abstruse points of theological controversy, and to whose extraordinary rudition, indefatigable industry, and meritorious exertions, he bore the most ample testimony, to pause ere he frustrated all the important services which he had formerly rendered to the cause, by now throwing his great weight into the scale of the enemy. He conjured him to remember his past deeds,—and like another repentant Coriolanus, to quit the camp of his Volscian allies, and return to Rome again.

Mr. *Bathurst* said, that notwithstanding all the eloquence, ridicule, and sarcasm, that had been employed by the right hon. gentleman who spoke last, he must take this opportunity of vindicating himself and others who had been attacked. He contended, that all that part of the speech of the right hon. gentleman, which related to the details of the Bill for the relief of the Catholics was foreign to the business now before the House. This was not the time at which such motion could, with propriety, be brought forward, nor even had the second reading of the Bill occupied the House that night, would the proper stage have arrived for submitting to their consideration that which the right hon. gentleman had taken this opportunity of introducing into his speech. The right hon. gentleman has called upon the House not to attempt to gain a fraudulent triumph over the Bill now in the House. He should like to know what possible inducement any one could have to resist it in the manner which had been thus characterised? What was there to hinder any gentleman from originating on the second reading of the Bill, a motion which would cause all, and more than all, the delay which could be occasioned by the present motion? Though the House had sanctioned the introduction of the Bill by the Committee, yet it was fair in him, or any other member, disapproving of it, to interpose delay on the second reading, or to move that the Bill be read a second time three months hence, if they thought proper to do so. It was clear there could be no advantage, but on the contrary a great disadvantage in taking up the question before the House with this view. He hoped that gentlemen would not think the present motion was supported because the Bill was not approved. To assume this because the Bill might be indirectly opposed by the support given to the present motion was unfair, as the time was not yet arrived when distinct opposition could be offered. The House had in the last session resolved to inquire into the laws affecting the Roman Catholics. When that proposition was brought forward, what could be more natural than for those who were of opinion no benefit could result from such an enquiry, to oppose going into a committee on the subject? It had been the system of parliament not to enter into a committee on petitions presented, but in cases where it appeared likely that the wishes of the petitioners could be complied with. Those, then, who saw no probability of this, might reasonably oppose the motion. The state of things, it was true, was now changed. The Committee had sat, and a Bill had been brought in founded on their resolutions. If, however, the House had thought proper to entertain the question, he could see no inconsistency in the proposition of the hon. baronet to institute an inquiry into all the circumstances of the case. The principle of the Bill recognized concession to the Catholics, accompanied with full security to the Protestant establishment: but none of the projected clauses deserved the name of security. Nobody was tied up by the resolutions of the House: the first branch might be very eligible if practicable; but if the provisions in the second did not render it so, it was proper that the House should receive a clear light on the whole matter. This the right hon. gentleman had himself wished for before: but now the House was told, that a Bill having been brought in, there was no occasion for an inquiry. The force of this reasoning he did not feel, and the objections of the right hon. gentleman to the present motion fell to the ground. The right hon. gentleman had spoken as if those who had permitted the Bill to be brought in, were bound to support it through all its stages; this he denied. Those who were anxious, as all must be, to relieve the Catholics, if they saw this could not be done by the Bill brought in, without endangering the constitution, had, notwithstanding their previous assent to its being proposed, a right to oppose it: nay, it was their duty to do so. Many who voted for the Bill at first might have expected something more eligible than had been produced by the Committee, and they might therefore say, they would go no farther. That which had been said of the voluminous inquiry in which the present motion would engage them, with whatever humour it had been urged, was entitled to little attention, as there was no probability of the investigation being such as had been described. The investigation of dogmas, and the examination of numerous volumes of old books, formed no part of the hon. baronet's proposition; and all the ridicule was therefore misplaced. It was proposed to examine what the laws are, how they affect the country, what laws were enacted when even England was Catholic, to check the power of the See of Rome. The recent committee had made a stroke with a hatchet: but it was easier to pull down than to build up, and it required no talents nor wisdom to do so. It could not have required two months labour merely to repeal. There was no question now about sending ambassadors to different quarters of the globe to get information. The hon. baronet offered to produce documents before a committee. We had already Answers from Louvaine and Salamanca to Questions sent by authority; and nobody doubted their authenticity, nor thought of bringing the learned professors and divines here to make their replies. That was the sort of evidence to be adduced; and he thought it very proper to have it. The number of persons to whom this measure would apply, the considerations respecting the oaths, &c. were fit points to be understood. With respect to the Bill itself, he thought the securities which it contained did not deserve that name. If it had been admitted by the most strenuous advocates for the Catholics, that some securities were necessary to the safety of the Protestant establishment, he would ask, was foreign influence nothing? Surely this would not be asserted, and if foreign influence were not held as nothing, ought not they to enquire what their ancestors had done to guard against its influence? There was no intention of sending (as had been stated by the right hon. gentleman who had first invented the fact, and then turned it to ridicule) ambassadors to America or to Russia, to conduct the enquiry called for, nor had an idea been entertained of calling the learned doctors who had been mentioned to them. All that was called for was evidence, authenticated as former documents had been, when produced in cases somewhat similar. He then noticed what had fallen from the right hon. gentleman on the subject of the Jesuits, which he contended had nothing to do with the question before the House. Whether this Bill passed or not, it would be proper to make new regulations on that subject, by effectual laws, though not such as should be too severe to be acted upon. So also of the foreign correspondence. The time was not yet come for opposing the clauses of the right hon. gentleman. For the present, he should sit down, with giving his hearty concurrence to the motion.

The Earl of *Desart* thought, that in legislating on this as well as on every other subject of importance, enquiry ought to precede enactment. He saw nothing unjust or unfair in supporting such an enquiry. He would ask any man who should look into this Bill, if it was at all calculated to put an end to contests or allay animosities? It merely did away the disabilities affecting the Catholics. But the system, to be complete, ought to be carried into a variety of details, with respect to which they were in want of the requisite information; and security, as had once been proposed by the opposers of the present motion, provided for the Protestant establishments of the country. He utterly denied that there was any inconsistency in having opposed the Committee in the first instance, and now supporting a motion to bring information before them. The latter was only a modification of the principle on which the former vote was given, they thought the going into a committee could produce nothing satisfactory. and therefore opposed it; but when a committee was appointed, and something was to be done, they were in favour of that course which recommended that something to be founded on the best and clearest intelligence, in order that it might be as little injurious as possible.

Lord *Castlereagh* assured the House he did not rise for the purpose of entering into any general discussion of the merits of the Bill now in the House. Another opportunity would offer for going into that subject, and he should reserve what he had to say till that opportunity arrived. The Bill certainly was not all that he could wish, but whatever objections he might at present entertain to any part of it, he hoped those objections would ultimately be removed. He hoped it would finally be so shaped that he could give it his support. At present he could not but augur favourably of the prospect before them, from the spirit of conciliation manifested on the part of the Catholics. In his opinion, it would be disgraceful to the Protestants to offer terms which it was known the Catholics could not accept. It was their duty to call on the Catholics to concede nothing which it was not known their religion would authorise. Though he, on the second reading of the Bill, should support the measure generally, he should be anxious to submit his ideas on various parts of it to the House, and it was his hope that those who brought the Bill forward, would attend to what he should have to offer, and give him an opportunity of voting for a measure, which he thought, as he had stated on a former occasion, might be much better in their hands than in his. If it appeared probable that the motion of the hon. baronet would give him or the House information, which at present they wanted, however he might regret that the motion had not been brought forward earlier in the session, he would give it his support. But when he reflected that all those great principles on which they ought to legislate were already before the House, or the means of collecting what might be wanting were so obvious, that he could not but think the appointment of a committee would occasion unnecessary delay. He was particularly against any delay which might prevent parliament from explaining itself to the two countries in the course of the present session. He hoped the complete union of the Catholics and Protestants would not be unnecessarily deferred. To him it would appear a great calamity if parliament separated without giving the country that explanation of which he had spoken, more especially when he considered that the House stood pledged to enter into the merits of the question, and to form its decision upon grounds of which it had long been in possession. Delay would, in his opinion, be highly injurious, for even the information desired by the motion before the House could not be brought to a close in any moderate period. He defended his right hon. friends near him. However he might differ from them on this subject, he still thought their conduct perfectly consistent, for though they might be of opinion that no securities could be given by the Catholics which ought to be satisfactory to the Protestants, it by no means followed, that when in this they had been overruled by the House, they should not be disposed to enquire into the securities which might be afforded, in order to decide which was least objectionable. Delay in explaining what were the views of parliament might be thought to be mischievous in a great degree. Unwilling that it should stand between them and the country, he therefore hoped that if the information called for was not absolutely necessary, it would not be granted, as he feared it could not be procured in time to enable parliament to give the explanation desired in the course of the present session. He remained as he had ever been, opposed to those who asserted Catholic emancipation to be a question of right. He contended, that the Catholic religion, and more especially the ecclesiastical part of it under the See of Rome, had ever been subject to arrangement, both in Catholic and in Protestant countries. This broad proposition he thought was sufficiently established, and therefore to go into a committee to enquire into this fundamental truth would be to lose time. As secretary of state for the colonial department, he himself had had to take the pleasure of his Majesty on the appointment of a Roman Catholic bishop to go to Malta, who having been nominated by the crown, received afterwards his canonical induction from the See of Rome. The grand principle, it must then be acknowledged, was sufficiently established: and to go into a committee was unnecessary, though he thought no time could be wasted which was fairly applied to the consideration of this important subject. If the Catholics went on with the Protestants as he had hopes they would do, if they went with the legislature, content to bow to the decision of parliament, he thought the present the most auspicious period the British empire had seen since the Revolution. He should be glad to see the man who could prove that parliament or any member of it was actuated in favouring the wishes of the Catholics by any other feeling than a spirit of conciliation, which he thought must bespeak a corresponding temper on the part of the Catholics. We were not at present afraid of a French invasion; we stood in awe of no power in Europe: but on the contrary, England stood on a pinnacle of greatness and glory, higher perhaps than ever she had stood before, and therefore this was the proper time for a spirit of conciliation to manifest itself. He concluded by repeating that it was his hope the Bill would be so framed as to enable him to give it his cordial support.

Mr. *Canning* stated, that he had only pointed out what to him appeared the preferable mode of exercising a right; and added, that he was as firmly determined as the noble lord himself could be, if the boon proffered by parliament should be contumaciously refused, to take his stand against the Catholics, the same as if he had never stood forward their advocate.

After a reply from sir J. C. Hippisley, the House divided,

For the Motion - - - -	187
For the Amendment - - -	235

Majority in favour of the Amendment—48

CLAUSES PROPOSED BY MR. CANNING, TO BE ADDED TO THE ROMAN CATHOLIC BILL.] The following are the Clauses proposed by Mr. Canning, to be added to the Roman Catholic Bill:

CLAUSES, intended to be proposed in the Committee, to be added to the "Bill to provide for the removal of the Civil and Military Disqualifications, under which his Majesty's Roman Catholic Subjects now labour."

A.

(A. 1.) And whereas it is expedient that further precautions should be taken for ascertaining, to the satisfaction of his Majesty his heirs and successors, the loyalty of every person professing the Roman Catholic religion, who shall at any time exercise or discharge any episcopal duties or functions within the United Kingdom of Great Britain and Ireland; be it therefore further enacted, That

and such other person and persons, as shall from time to time be appointed by his Majesty his heirs or successors, in manner hereinafter mentioned, shall be, and the same are hereby appointed, commissioners for the purposes of this present Act, so far as the same respects Great Britain; and that they shall hold their offices during good behaviour; and shall be removable upon an Address of either House of Parliament.

(A. 2.) And be it further enacted, That if any person hereby appointed a commissioner as aforesaid, or who shall be hereafter appointed a commissioner for this present Act, so far as the same respects Great Britain, shall depart this life, or shall decline to act in the said commission, or shall go to reside out of the United Kingdom; then and in every such case, it shall and may be lawful for his Majesty his heirs or successors, by warrant under the sign manual, to appoint any lay peer of England or Scotland, professing the Roman Catholic religion, or, if there shall be no such peer of full age and within the United Kingdom, then such lay commoner of England or Scotland, professing the Roman Catholic religion, who shall be possessed of a freehold estate in land of not less than 1,000*l.* a year in Great Britain, as his Majesty his heirs or successors shall think fit, to be a commissioner in the room or stead of the commissioner so dying, or declining to act, or going to reside out of the United Kingdom.

(A. 3.) And be it further enacted, That the commissioners hereby appointed, and every commissioner to be hereafter under this Act appointed, for Great Britain, shall and they are hereby required, before they shall respectively take upon themselves the execution and performance of the duties hereby vested in them, to take make and subscribe the Oath and Declaration first hereinbefore prescribed to be taken made and subscribed, and shall also take and subscribe the following Oath;

'I *A. B.* do swear, That I will, without favour or affection, hatred or malice, faithfully and impartially, and according to the best of my judgment and discretion, execute and perform the duties of a commissioner, vested in me under and by virtue of an Act made in the 53rd year of the reign of his Majesty king George the Third, intituled, 'An Act for the removal of the Civil and Military Disqualifications, under which his Majesty's Roman Catholic Subjects now labour;' and that I will not, directly or indirectly, publish, disclose or make known to any one, save as by the said Act directed, any matter or thing whatsoever, which shall come to my knowledge by reason or in consequence of my being a commissioner under the said Act; excepting only such matters or things as all persons, taking making and subscribing the Oath and Declaration by the said Act first prescribed to be taken made and subscribed, are thereby bound to disclose.'

And that the said last mentioned oath shall and may be taken and subscribed in any of his Majesty's courts of Chancery, King's-bench, Common Pleas or Exchequer at Westminster, and shall remain of record in the said court.

(A. 4.) And it is hereby further enacted, That the said commissioners may from time to time make such regulations, to be binding on themselves for all purposes incident to the discharge of their office, as they shall think proper; and that for effecting the purposes aforesaid, it shall be lawful for the said commissioners, or a majority of them, to appoint a secretary, to be resident in London; and that, for discharging the expence of the said commission, and paying the salary of the secretary of the same, the lords commissioners of his Majesty's Treasury shall issue, out of the consolidated fund of Great Britain, the annual sum of
to the secretary of the said commissioners, to be applied for the purposes of the said commission, as the said commissioners shall from time to time direct; and that such secretary shall and he is hereby required, before he acts in the execution of his office, to take make and subscribe the Oath and Declaration first hereinbefore prescribed to be taken made and subscribed, and shall also take and subscribe the following Oath;

'I *A. B.* do swear, That I will, according to the best of my skill and knowledge, faithfully execute the office of secretary to the commission appointed by an Act of the 53rd year of the reign of his present Majesty, intituled, 'An Act for the removal of the Civil and Military Disqualifications, under which his Majesty's Roman Catholic Subjects now labour;' and that I will not publish disclose or make known to any person or persons whomsoever, save as by the said Act directed, any matter or thing whatsoever, which shall come to my knowledge by reason of the said office; excepting only such matters or things as all persons, taking making and subscribing the Oath and Declaration by the said Act first prescribed to be taken made and subscribed, are thereby bound to disclose.'

And that the said last mentioned oath shall and may be taken and subscribed by the said secretary, before two or more of the said commissioners, who are hereby authorized and empowered to administer the same.

(A. 5.) And it is hereby further enacted, That the said secretary shall be removable at the pleasure of the said commissioners, or the major part of them; and that on every appointment of a new secretary, the same shall be notified by the said commissioners to one of his Majesty's secretaries of state.

(A. 6.) And be it further enacted, That from and after the passing of this Act, every person in holy orders, professing the Roman Catholic religion, who shall at any time be nominated elected or appointed, according to the usages of the Roman Catholic church, to exercise or discharge any episcopal duties or functions in Great Britain, shall, before he assumes the exercise of such episcopal duties or functions, give notice of such his nomination election or appointment, by writing under his hand, to the secretary of the said commissioners, who shall forthwith give information thereof to the said commissioners; and the said commissioners shall, within six weeks after receiving such information, transmit the same, by writing under their respective hands and seals, to one of his Majesty's principal Secretaries of State; and shall at the same time certify in form and manner following;

'We do hereby certify and declare, 'that we do not know or believe any thing 'which tends to impeach the loyalty or 'peaceable conduct of ,'

Unless the said commissioners, or the major part of them, shall deem the person, of whose nomination election or appointment they shall have been so informed as aforesaid, to be a person disloyal and disaffected to his Majesty his heirs and successors, or not of a peaceable conduct; in which case they shall refuse to grant the said certificate.

(A. 7.) And be it further enacted, That no such person as aforesaid, in whose favour the said commissioners shall so have refused to certify in form and manner aforesaid, shall be capable of exercising any episcopal duties or functions whatsoever, within the United Kingdom; and that if any such person shall, nevertheless, assume the exercise of such episcopal duties or functions within the United Kingdom, such persons shall be guilty of a misdemeanor; and, upon conviction thereof, shall be liable to be sent out of the kingdom, in manner as hereinbefore directed.

(A. 8.) Provided always, and it is hereby further enacted, That the said commissioners so refusing to certify in favour of any such person as aforesaid, shall not, nor shall any one of them, on account of such refusal, or by reason thereof, be subject or liable to any action for damages, or any other legal proceeding whatsoever.

(A. 9.) And be it further enacted, That

and such other person or persons as shall from time to time be appointed by his Majesty his heirs or successors in manner hereinafter mentioned, shall be and the same are hereby appointed commissioners for the purposes of this present Act, so far as the same respects Ireland; and that they shall hold their offices during good behaviour, and shall be removable upon an Address of either House of Parliament.

(A. 10.) And be it further enacted, That if any person hereby appointed a commissioner as aforesaid, or who shall be hereafter appointed a commissioner for this present Act, so far as the same respects Ireland, shall depart this life, or shall decline to act in the said commission, or shall go to reside out of the United Kingdom, then and in every such case it shall and may be lawful for his Majesty his heirs or successors, by warrant under the sign manual, to appoint any lay peer of Ireland, professing the Roman Catholic religion, or, if there shall be no such peer of full age and within the kingdom, then such lay commoner, professing the Roman Catholic religion, who shall be possessed of a freehold estate in land of not less than 1,000*l.* a year in Ireland, as his Majesty his heirs or successors shall think fit, to be a commissioner in the room or stead of the commissioner so dying, or declining to act, or going to reside out of the United Kingdom.

(A. 11.) And be it further enacted, That the commissioners hereby appointed, and every commissioner to be hereafter under this Act appointed, for Ireland, shall, and they are hereby required, before they shall respectively take on themselves the execution and performance of the duties hereby vested in them, to take make and subscribe the Oath and Declaration first hereinbefore prescribed to be taken made and subscribed, and shall also take and subscribe the following Oath;

'I *A. B.* do swear, that I will, without 'favour or affection, hatred or malice, 'faithfully and impartially, and according to the best of my judgment and discretion, execute and perform the duties of a commissioner, vested in me under and by virtue of an Act made in the 53d year of the reign of his Majesty king George the 3d, intituled, 'An Act for the removal of the Civil and Military Disqualifications, under which his Majesty's Roman Catholic subjects now labour;' and that I will not, directly or indirectly, publish disclose or make known to any one, save as by the said Act directed, any matter or thing whatsoever, which shall come to my knowledge by reason or in consequence of my being a commissioner under the said Act; excepting only such matters or things as all persons, taking making and subscribing the Oath and Declaration by the said Act first prescribed to be taken made and subscribed, are thereby bound to disclose.'

And that the said last mentioned oath shall and may be taken and subscribed in any of his Majesty's courts of Chancery, King's-bench, Common Pleas or Exchequer, in Dublin, and shall remain of record in the said court.

(A. 12.) And it is hereby further enacted, That the said commissioners may from time to time make such regulations, to be binding on themselves for all purposes incident to the discharge of their office, as they shall think proper; and that, for effecting the purposes aforesaid, it shall be lawful for the said commissioners, or a majority of them, to appoint a secretary, to be resident in Dublin; and that, for discharging the expence of the said commission, and paying the salary of the secretary of the same, the lords commissioners of his Majesty's Treasury in Ireland, shall issue, out of the consolidated fund of Ireland, the annual sum of   to the secretary of the said commissioners, to be applied for the purposes of the said commission, as the said commissioners shall from time to time direct; and that such secretary shall, and he is hereby required, before he acts in the execution of his office, to take make and subscribe the Oath and Declaration first hereinbefore prescribed to be taken made and subscribed, and shall also take and subscribe the following Oath;

'I *A. B.* do swear, That I will, according to the best of my skill and knowledge, faithfully execute and perform the office of secretary to the commission appointed by an Act of the 53rd year of the reign of his present Majesty, intituled, 'An Act for the removal of the Civil and Military Disqualifications, under which his Majesty's Roman Catholic subjects now labour;' and that I will not publish disclose or make known to any person or persons whomsoever, save as by the said Act directed, any matter or thing whatsoever, which shall come to my knowledge by reason of the said office, excepting only such matters or things as all persons taking making and subscribing the Oath and Declaration by the said Act first prescribed to be taken made and subscribed, are thereby bound to disclose.'

And that the said last mentioned oath shall and may be taken and subscribed by the said secretary, before two or more of the said commissioners, who are hereby authorised and empowered to administer the same.

(A. 13.) And it is hereby further enacted, That the said secretary shall be removable at the pleasure of the said commissioners, or the major part of them; and that on every appointment of a new secretary, the same shall be notified by the said commissioners to the chief secretary of the lord lieutenant of Ireland.

(A. 14.) And be it further enacted, That from and after the passing of this Act, every person in holy orders, professing the Roman Catholic religion, who shall at any time be nominated elected or appointed, according to the usages of the Roman Catholic church, to exercise or discharge any episcopal duties or functions in Ireland, shall, before he assumes the exercise of any such episcopal duties or functions, give notice of such his nomination election or appointment, by writing under his hand, to the secretary of the said commissioners, who shall forthwith give information thereof to the said commissioners; and the said commissioners shall, within six weeks after receiving such information, transmit the same, by writing under their respective hands and seals, to the chief secretary of the lord lieutenant of Ireland, and shall at the same time certify in form and manner following;

'We do hereby certify and declare, That we do not know or believe any thing which tends to impeach the loyalty or peaceable conduct of   :'

Unless the said commissioners, or the major part of them, shall deem the person, of whose nomination election or appointment they shall have been so informed as aforesaid, to be a person disloyal and disaffected to his Majesty his heirs and successors, or not of a peaceable conduct; in which case they shall refuse to grant the said certificate.

(A. 15.) And be it further enacted, That no such person as aforesaid in whose favour the said commissioners shall so have refused to certify in manner and form aforesaid, shall be capable of exercising any episcopal duties or functions whatsoever, within the United Kingdom; and that if any such person shall, nevertheless, assume and exercise any episcopal duties or functions whatsoever, within the United Kingdom, such person shall be guilty of a misdemeanor; and, upon conviction thereof, shall be liable to be sent out of the kingdom, in manner as hereinbefore directed.

(A. 16.) Provided always, and it is hereby further enacted, That the said commissioners, so refusing to certify in favour of any such person as aforesaid, shall not, nor shall any one of them, on account of such refusal, or by reason thereof, be subject or liable to any action for damages, or any other legal proceeding whatsoever.

B.

(B. 1.) And whereas it is fit and reasonable that his Majesty his heirs and successors, should be satisfied that no intercourse takes place between any of the subjects of this realm and a foreign power, which can in any degree tend to withdraw any of his Majesty's subjects from the allegiance which they owe to his Majesty's sacred person and government, or to interfere with the temporal or civil rights or duties of any of his Majesty's subjects: and whereas the laws made in former times, prohibiting all intercourse between the subjects of this realm and the See of Rome, are of extreme and undistinguishing rigour and severity; be it therefore enacted, That the commissioners appointed and to be appointed at any time hereafter under this Act, as herein-before specified, for Great Britain and Ireland respectively, with the addition, in the said commission, in Great Britain, of the lord high chancellor or lord keeper or first commissioner of the great seal for the time being, and of one of his Majesty's principal secretaries of state (being a Protestant) or of such one other member of his Majesty's most honourable privy council in Great Britain (being a Protestant) as his Majesty his heirs and successors shall think fit from time to time to appoint: and with the addition, in the said commission, in Ireland, of the lord high chancellor, lord keeper or first commissioner of the great seal of Ireland for the time being, and of the chief secretary to the lord lieutenant or lord deputy, or other chief governor, or governors of Ireland (being a Protestant) or of such one other member of the privy council of Ireland (being a Protestant) as the lord lieutenant or lord deputy, or other chief governor or governors may think fit from time to time to appoint; and with the further addition, in the said commission, in Great Britain, of such person in holy orders, professing the Roman Catholic religion, as shall be in the exercise of episcopal functions among Roman Catholics in London; and with the further addition, in the said commission, in Ireland, of the titular Roman Catholic archbishops of Armagh and Dublin for the time being, shall be and they are hereby appointed commissioners under this Act, for the purpose hereinafter expressed.

(B. 2.) And it is hereby further enacted, That the said person so exercising episcopal functions, among Roman Catholics in London, and the said titular archbishops, shall, and they are hereby required, before they shall respectively take upon themselves the execution of the duties hereby vested in them, take and subscribe, before two or more of the commissioners already hereinbefore appointed (who are hereby authorized and empowered to administer the same) the following Oath;

'I *A. B.* do swear, That I will, without favour or affection, hatred or malice, 'faithfully and impartially, and according 'to the best of my judgment and discretion, execute and perform the duties of a 'commissioner, vested in me under and by 'virtue of an Act, made in the 53rd year 'of the reign of his Majesty king George 'the 3d, intituled, 'An Act for the removal of the Civil and Military Disqualifications, under which his Majesty's 'Roman Catholic subjects now labour;' 'and that I will not, directly or indirectly, 'publish disclose or make known, to any 'one, any matter or thing whatsoever, 'which shall come to my knowledge by 'reason or in consequence of my being a 'commissioner under the said Act; excepting only such matters and things as 'all persons, taking making and subscribing the Oath and Declaration by the said Act first prescribed to be taken made and subscribed, are thereby bound to disclose.'

And that the said Protestant commissioners shall in like manner take and subscribe, before any two of the said commissioners already hereinbefore appointed (who are hereby authorized and empowered to administer the same) the following Oath;

'I *A. B.* do swear, That I will, without favour or affection, hatred or malice, faithfully and impartially, and according to the best of my judgment and discretion, execute and perform the duties of a commissioner, vested in me under and by virtue of an Act, made in the 53d year of the reign of his Majesty king George the third, intituled, 'An Act for the removal of the Civil and Military Disqualifications, under which his Majesty's Roman Catholic subjects now labour;' and that I will not, directly or indirectly, publish disclose or make known, to any one, any matter or thing whatsoever, which shall come to my knowledge by reason or in consequence of my being a commissioner under the said Act, excepting only such matters or things as, by my oath and duty of a privy counsellor, I am bound to disclose.'

(B. 3.) And it is hereby further enacted, That the secretaries respectively appointed by the commissioners first hereinbefore appointed in Great Britain and Ireland respectively, shall likewise be the secretaries of the last-mentioned commissions in Great Britain and Ireland respectively.

(B. 4.) And it is hereby further enacted, That three of the commissioners of each of the said last-mentioned commissions in Great Britain and Ireland respectively, shall form a quorum of such commissioners, and shall be competent to transact all the business of such commission: provided always, that one of the Protestant members of each of the said commissions shall be one of each of the said quorums; and that due notice of every meeting shall have been given by each secretary to each and every member of each of the said commissions respectively.

(B. 5.) And it is hereby further enacted, That so often as any subject or subjects of his Majesty his heirs or successors, shall, at any time after the passing of this Act, receive any bull, dispensation, or other instrument, from the See of Rome, or from any person or body whatsoever in foreign parts, acting under the authority of the said See, the person or persons so receiving the same, shall, if he or they be resident in Great Britain, within six weeks after his or their receiving the same, deliver or cause to be delivered to the secretary of the said commissioners in Great Britain, to be by him forthwith transmitted or communicated to the said commissioners, a full and perfect copy of the said instrument, signed with his name in his own handwriting; and, if resident in Ireland, shall, within the like space of six weeks after receiving such bull, dispensation, or other instrument as aforesaid, deliver or cause to be delivered a full and perfect copy thereof, signed with his name, in his own handwriting, to the secretary of the said commissioners in Ireland, to be by him forthwith transmitted or communicated to the said commissioners.

(B. 6.) Provided always, and it is hereby further enacted, That if the person or persons so receiving such bull, dispensation, or other instrument as aforesaid, shall deliver or cause to be delivered to the secretary of the said commission in Great Britain or Ireland, within the time hereinbefore prescribed, a writing under his hand, certifying the fact of his having received such bull, dispensation, or other instrument as aforesaid, and shall accompany the said certificate with the following Oath,

'I *A. B.* do swear, that the instrument [*describing the instrument as the case may be*] which I hereby acknowledge to have received from the See of Rome [*or*, from such or such body or person, *as the case may be*] under the authority of the said See, does relate wholly and exclusively to spiritual concerns; and that it does not contain or refer to any matter or thing which does or can directly or indirectly affect or interfere with the duty and allegiance which I owe to his Majesty's sacred person and government, or with the temporal, civil or social rights, properties or duties of any other of his Majesty's subjects. So help me God.'

Which oath it shall and may be lawful for the said person to take and subscribe, either before the said commissioners, in Great Britain or Ireland respectively, or before such quorum thereof as aforesaid, who are hereby authorised and empowered to administer the same; or in any of the courts hereinbefore mentioned; then and in every such case it shall be lawful for the said commissioners, in Great Britain or Ireland respectively, or for such quorum thereof as aforesaid, in the exercise of their judgment and discretion, to admit and receive such certificate, accompanied with such oath, in lieu and stead of the full and perfect copy of the bull, dispensation, or other instrument hereby required.

(B. 7.) And it is hereby further enacted, That any such person or persons, as aforesaid, in Great Britain or Ireland respectively, who shall at any time after the passing of this Act, receive any such bull, dispensation, or other instrument as aforesaid, and who shall duly deliver or cause to be delivered, a full and perfect copy thereof as hereinbefore directed, or who shall deliver or cause to be delivered such certificate of the receipt thereof, accompanied by such oath as is hereinbefore prescribed, and whose said certificate and oath shall be admitted and received by the said commissioners in Great Britain or Ireland respectively, or by such quorum thereof as aforesaid, in lieu and stead of such perfect copy as aforesaid, shall be free and exempt from all pains and penalties whatsoever, to which he or they would, upon conviction, be liable by any laws now existing in Great Britain or Ireland respectively, against the receiving and publishing bulls, dispensations, or other instruments from the See of Rome, or from any authority or pretended authority under the said See: but that any such person or persons so receiving such bull, dispensation, or other instrument as aforesaid, and not so duly delivering or causing to be delivered, as aforesaid, either such full and perfect copy thereof, or such certificate of the receipt thereof, accompanied by such oath as is hereinbefore prescribed, shall, upon conviction thereof, be deemed guilty of a high misdemeanor; and shall, in lieu of all pains and penalties whatsoever, to which he or they would be liable, by any laws now existing in Great Britain or Ireland respectively, against the receiving and publishing, bulls, dispensations, or other instruments from the See of Rome, or from any authority or pretended authority under the said See, be liable to be sent out of the kingdom, in the manner as hereinbefore directed.

C.

And be it further enacted, That the commissioners first hereinbefore appointed, for Great Britain, and Ireland respectively, shall meet and appoint their respective secretaries, and give notice of such appointments to one of his Majesty's principal secretaries of state in Great Britain, and to the chief secretary of the lord lieutenant of Ireland, respectively within after the passing of this Act; and that all and singular the enactments and provisions of this Act (other than those which relate to the appointment of the said first named commissioners in Great Britain and Ireland respectively) shall take effect, and be of full force and validity, immediately from and after the time at which the said first named commissioners, in Great Britain and Ireland respectively, shall have so met, and so made and notified the appointments of their respective secretaries as aforesaid.

In the Clause of the Bill, which excepts from the number of offices generally opened to the Roman Catholics, the office of Lord High Chancellor, Lord Keeper, or First Commissioner of the Great Seal of Great Britain, and that of Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of Ireland; it will be proposed to add, to these exceptions, that of Lord High Chancellor, Lord Keeper, or First Commissioner of the Great Seal in Ireland; and that of Commander in Chief in Great Britain.

HOUSE OF COMMONS.

Wednesday, May 12.

MANCHESTER JUSTICES' BILL.] A conversation took place on the Manchester Justices' Bill, upon which lord Stanley, col. Cawthorne, Mr. Wilbraham Bootle, sir Robert Heron, and other members, made some observations.

Sir *Samuel Romilly* was against the principle of the Bill, inasmuch as it went to introduce stipendiary magistrates in the place of that respectable class of magistrates, who in this county discharged the functions of magistracy gratuitously. It had been said, that it was not the custom in the duchy of Lancaster to appoint any man in trade a magistrate, and that there were but few wealthy men in Manchester not engaged in trade. If there was nothing but this custom which could be advanced in favour of the measure, he thought that it would be better to break through it, and introduce into the commission some of the respectable gentlemen engaged in trade and manufactures.

Mr. *Bathurst* said, that the reason of the rule was, that as a great part of the business of the magistrates in Manchester consisted in settling the disputes of masters and their workmen, a magistrate who was himself concerned in manufacture, might be suspected by some persons of having a bias one way, and of not being so impartial as could be wished. He had no objection, however, to introduce into the commission of the peace for Manchester, wealthy and respectable persons engaged in trade, but not in manufactures. He had already made the offer if any such gentlemen would pledge themselves to be acting magistrates. The business, however, of the sessions at Manchester was very heavy, and the few country gentlemen in the neighbourhood who were magistrates, refused to act unless some more assistance was procured for them. Although he highly approved of the principle of preferring the services of independent gentlemen acting gratuitously to paid magistrates, yet there were some cases in which it could not be adopted. He conceived the case of Manchester to be an exception, and that the present Bill was necessary.

The House then divided: For the Bill, 47: Against it, 23: Majority, 24.

ELECTION BILLS.] Mr. Williams Wynn presented a Bill for amending and rendering more effectual the laws for the trials of controverted elections, and returns of members to serve in parliament; also, a Bill for the more regular conveyance of writs for the election of members to serve in parliament; and the same were read a first time, and ordered to be read a second time to-morrow.

LEATHER TAX.] Lord *Althorpe* rose with a desire to put a question to the hon. member, whose motion for the consideration of the report from the Committee on the Leather Tax, stood originally for this night: seeing now that the motion was altered for Tuesday, the 18th of May, his lordship wished to be informed, if it was the hon. member's intention to bring forward his motion certainly, on that night.

Mr. *Benson* expressed his obligation to his noble friend, for the opportunity he thus gave him of declaring to the House his full intention to bring the subject forward on Tuesday, the 18th of May. He stated it to have been his anxious desire to have discussed this important question on this night, but the Catholic question having twice interfered with his design of bringing his motion forward, he had now fixed upon Tuesday next, when his notice would take precedence of all orders.

PALACE COURT—PROCEEDINGS RESPECTING MR. CRUTCHLEY.] Mr. *Brand*, in pursuance of his notice, rose to submit a motion to the House on the Petition of a gentleman of the name of Crutchley, formerly prothonotary of the Palace Court. He entered at length into a detail of the various complaints of Mr. Crutchley against Mr. Burton Morris, the judge of the court, the abstract of which was, that the latter gentleman, on receiving his appointment from lord Aylesford, the lord steward, on the 25th of February, 1811, raised the fees of the court, which had not been regulated since the patent of its constitution was granted by Charles the first. By this innovation, Mr. Morris gained about 500*l.* per annum; and in the whole the encrease of emolument to the various officers was about 2,000*l.* This alteration of the fundamental regulations of the court, however, did not please Mr. Crutchley, the prothonotary, who objected to exact the new demands, and the animosity between the judge and this officer was augmented by a previous dispute respecting some fees received by Mr. Crutchley after the appointment of Mr. Morris, but previous to the administration of the oaths. A variety of hostile proceedings followed;—the Lord Steward and the knight marshal, sir James Bland Burgess, met upon the subject, and the termination was the dismissal of Mr. Crutchley from his office. Under these circumstances, his Petition, after a series of charges of extortion against the judge, prayed that an enquiry might be instituted before a select committee, that the true state of the case might be ascertained, and relief afforded. Mr. Brand therefore moved for the appointment of such committee.

Mr. *Raine* argued with great warmth, that Mr. Burton Morris was as irreproachable and unassailable a character as any man in the kingdom: and that he was eagerly anxious that his conduct should be enquired into. The Petition now presented was stuffed full of slander: it charged the judge with extortion, and with corrupting his confidential clerk. But this was merely an *ex parte* statement. There was no parliamentary ground for the present motion. Mr. Crutchley, if injured, had another remedy, by *scire facias* or action at law. Mr. Morris was justified in what he had done by the example of no less men than lord Holt, lord chief baron Hale, and lord Hardwicke. Though he would readily allow that it would have been more delicate and discreet in him not to have altered the fees of his court where he was himself to be benefited, at the same time he insisted that he had acted with perfect justice and honour.

Sir *F. Flood* said, the Petition contained a heavy charge against a judge of the land: he did not believe that it was true; still as it was admitted by the hon. advocate, that he had acted with some imprudence, it would be better that the matter should go before a committee, that all might be cleared. In his own opinion, a judge could not alter the fees of his court, without an act of parliament. He had no doubt, however, that the learned judge had acted merely from error, and not from any desire of gain: still, in a matter of this importance, it was fit that the business should be properly investigated before a committee.

Mr. *Wrottesley* said, that on a former occasion, when this subject had been discussed, he had opposed the committee; but his reason for doing so was, that from the late period of the session, and the hon. and learned judge against whom the petition was presented being about to set off immediately on his circuit, it would have been impossible at that time for any investigation to have taken place. Now, however, the case was otherwise, and as he was certain the hon. and learned judge was desirous that every part of his conduct on the occasion complained of should be fully examined into, he would vote for the committee.

Mr. *Wynn* said, he really could not say whether the court of King's-bench could legally take cognizance of this matter under a *scire facias:* if it could not, the House, being in such cases the dernier resort to which the subject could appeal, ought to interfere, from the jealous eye with which it should always view the proceedings of courts of justice, where they were charged with acting contrary to the established law of the land. He should therefore vote for the committee.

Mr. *Brand* said, notwithstanding the objection of the hon. and learned gentleman (Mr. Raine,) that the judge could not create fees, yet there were many cases in which it had been determined, that the judge might limit fees, though he could not create them; as such, he thought sufficient parliamentary grounds had been laid, for the Petition being considered by a committee.

Mr. *Stephen* said, he had listened attentively to all that had been urged on both sides of the subject; and from what he had heard (for he was a perfect stranger to both the petitioner and the party complained of) he thought no ground had been laid for a committee. It was his opinion, that for their own convenience, and the dignity of the House, they should not lose their time in inquiries into the petty disputes between a court and its officers: they might as well be desired to interfere between the constable of the night and the watchmen of a parish.

Mr. *Preston* said it was well known, that fees to be taken in a court of law could not legally be fixed and levied on the subject by any other power than an act of parliament, or long established custom. If this had been done in the present case, as alleged in the Petition, and the petitioner had been suspended for resisting it, it did not appear to him that the petitioner could obtain redress from any other quarter than from that House, and he was, therefore, in favour of the committee.

Mr. *Lockhart* said, he did not know how the law could in this case give effectual relief, for though it might afford it to the individual, it could not grant it to the public at large, who were to be burdened by those additional fees. This judge had, at the time he made this increase in the fees of the court, and still has, a jurisdiction over a million of people; so that a dispute between him and his officers bore no comparison with that of the constable of the night, and the watchmen of a parish, as had been observed by an hon. and learned gentleman. It was not on account of any thing that had passed previous to this rule, that this officer had been suspended. This he averred on his own knowledge. The true question was, whether he had been suspended on account of resisting those fees as illegal. Immediately after this resistance, new accusations were made, but not old ones. These new charges were brought against him very suddenly, without allowing him time to defend himself; and on two of these he was suspended.

Mr. *Milnes* said a few words in favour of the committee.

A division took place: For the Committee 16; Against it 2. There not being forty members present, the House adjourned, and the motion was consequently lost.

HOUSE OF LORDS.

Thursday, May 13.

Petitions for Promulgating the Christian Religion in India.] The Earl of *Derby* presented a Petition from the inhabitants of Warrington, praying that provision might be made, in the renewal of the East India Charter, for the propagation of Christian Knowledge in India.—Ordered to lie on the table.

Lord *Erskine* informed their lordships, that he held in his hand four Petitions, of which the object was to extend the blessings of Christian knowledge in India. He should read to their lordships one of these Petitions, which was expressed in that proper manner which entitled it to their particular attention. His lordship proceeded to read the whole of the Petition, which was one from the friends of the missionaries in London, praying, that their lordships would advert to a Resolution of the House of Commons, in 1793, recommending the speedy introduction of Christian knowledge in India; and the Petition concluded, by expressing an earnest wish, that in their lordships' regulations respecting India, some provision might be made for this purpose, consistent with prudence and safety. The noble lord observed, the other Petitions he had to present were of a similar nature, and he took that opportunity of saying, although others in this and the other House of Parliament had refrained from mentioning, whether they would or would not support the prayer of similar Petitions, he had no hesitation in declaring, as far as a peer could pledge himself to any particular course before the subject came under discussion, when, from conviction, he might fairly alter his opinion, that he should give his support to the prayer of these Petitions. It was, he thought, the duty of every man enjoying the knowledge and blessings of Christianity, to exert himself in extending the same to the uttermost corner of the earth. We ought to recollect that the land in which we lived had long enjoyed a series of prosperity and happiness, when compared to those countries where darkness and superstition had clouded the aspect of human affairs. At the same time, his lordship desired it might not be understood, that he meant to recommend an unqualified attempt at the introduction of Christianity, but as far as it was expressed in this Petition, he coincided in the wish, that every means should be used for propagating the knowledge of the Bible, consistently with prudence and safety to our eastern possessions. The noble and learned lord then presented a Petition from Bath, another from Liskard, in Cornwall, and a fourth from certain parishes in the county of Somerset.

Earl *Grey* presented a similar Petition from the inhabitants of Sunderland, Bishop Wearmouth, and Monkwearmouth, in the county of Durham. The noble earl, in speaking his sentiments at this time, which he should have an opportunity of more fully explaining at a future period, should only observe, that he thought every man must support the principle of the prayer of the Petition. The only consideration in his mind was, how the object so desirable was to be accomplished. As far as truth could be set forth, for the purpose of dispelling those clouds of superstition which had long darkened the minds of the Indians, he wished that no means should be wanting for the purpose of throwing light upon the minds of those unenlightened people; but if it were meant that government should interfere and force this system upon them, or that such should be the unrestricted intercourse of all missionaries, that they should not come under the controul of the government of that empire, or that they could not, under circumstances, be even removed from the country, the desired effect would not, he was certain, be produced, and if such a mode were to be proposed, it would not receive his sanction or support. The Petitions were ordered to lie on the table.

HOUSE OF COMMONS.

Thursday, May 13.

Duties on Martinique, &c. Sugars.] On the motion of the Chancellor of the Exchequer, the House went into a Committee of the whole House, to consider of the duties on Sugar, the produce of the

Islands of Martinique and Guadaloupe and their dependencies.

The *Chancellor of the Exchequer* said, that the object of the Resolution, which he had to propose, was to obtain a sufficient supply for the sugar-market of this country. He was given to understand, that the stock of sugars from our own colonies was very nearly exhausted, while there was no immediate prospect of supply; and this would produce a very inconvenient rise in the price of the article, unless the sugars of Martinique and Guadaloupe were permitted to supply the deficiency, and enter into the consumption of this country. For the protection of our own West India planters, however, he meant that this should be only a temporary expedient. He concluded by moving, "that it is the opinion of this Committee, That Muscovado sugar, the growth or production of Martinique and Guadaloupe and their dependencies, imported into Great Britain previous to the 12th of May 1813, be admitted to entry for home consumption on payment of the duty of *5s.* per cwt. above the duty payable on British plantation sugar, until the average price of Muscovado sugar of the British plantations, as published in The London Gazette for four weeks successively, shall be less than *53s.* per cwt., exclusive of the duties payable thereon. 2. That clayed sugar, the growth or production of Martinique and Guadaloupe and their dependencies, imported into Great Britain previous to the 12th of May 1813, be admitted to entry for home consumption on payment of the duty of *12s. 6d.* per cwt. above the duty payable on British plantation clayed sugar, until the average price of Muscovado sugar of the British plantations, as published in The London Gazette for four weeks successively, shall be less than *53s.* per cwt., exclusive of the duties payable thereon."

Mr. *Ellis* said, that as this was intended to be only a temporary expedient, he should not oppose it; but were it proposed as a permanent regulation, he should consider it as a breach of faith with our own West India planters. As to the small amount of British plantation sugar now in hand, it had arisen not from any failure in the produce of our colonies, but from the delay in the conveyance of that produce, which had arisen from the arrangements of the Admiralty in respect of convoys.

Mr. *Marryat* was unfriendly to the imposition of any additional duty on the foreign sugars, which, in that case, would be worth more for exportation than for home consumption, and therefore were not likely to come into the home market at all.

Mr. *Baring* approved of the resolution, because the country stood in that situation that it had not more than a fortnight's supply of our own colonial sugars. The planters of Martinique and Guadaloupe laboured under great hardships, for the French government had discouraged the importation into France of the sugars of those islands, doubtless with a view to disgust them with our ascendancy.

Mr. *Barham* was not unfavourable to the measure, because, though the present deficiency in the supply of sugar might give high prices to a few foreign planters and merchants, yet too great a rise of price was always ultimately injurious to the growers. The West India planters had been represented as a wealthy set of men, and possessed of great influence with the minister of the day; on the contrary, he thought they had been oppressed on every occasion, and by almost every body; and as to their wealth, the greater part of them had, within the last ten years, been reduced to a state of absolute ruin.

Mr. *W. Dundas* wished to state, on the subject of West India convoys, that they had been regulated by the Admiralty according to the wishes of the merchants themselves; and that there had not been the usual number of running ships, from the danger of falling into the hands of the American schooners.

The Resolutions were then agreed to, and the Report ordered to be received tomorrow.

PETITIONS FOR PROMULGATING THE CHRISTIAN RELIGION IN INDIA.] Lord *Milton* presented a Petition from the town of Leeds, and from 23 other places, praying, that in the event of the charter of the East India Company being renewed, provision might be made for permitting missionaries to go to that country for the purpose of converting the natives to Christianity. The noble lord took this opportunity of observing, that the subject to which these Petitions referred was one of very considerable importance, and ought to be weighed with due deliberation. It was a matter of sincere satisfaction to all benevolent hearts to perceive the ascendancy which the true principles of the Christian religion had obtained over the minds of the greater part of the population of this country, an ascendancy of which there could be no stronger proof than the desire which had been universally manifested, to extend to the natives of India those blessings which they themselves enjoyed. In carrying these wishes into effect, however, great care and circumspection was required. It should be recollected that an indiscreet zeal might be attended with the worst consequences, and that the adoption of any course which might prove disgusting or offensive to the native Indians, might lead to the ultimate overthrow of the British possessions in India. The House, he trusted, therefore, when the topic came before them, would legislate with that degree of caution and prudence which the interests of this country and the prosperity of our Indian government required.

The Petitions were then brought up, and ordered to lie on the table.

FEES OF ASSIZE BILL.] Mr. *Davies Giddy*, after directing the attention of the House to the hardships often experienced by persons tried for various offences throughout England, in consequence of the imposition of severe fees, even after their innocence had been made manifest, moved, " That leave be given to bring in a Bill for procuring returns of all persons committed for trial, and of all persons convicted, in England and Wales ; and for taking away or regulating the fees of clerks of assize and clerks of the peace in certain cases, and affording compensation during existing interests."—Leave was accordingly granted.

ROMAN CATHOLIC CLAIMS.] Mr. *Ryder* signified his intention to enforce the Call of the House on Monday next most rigorously. His motive for this determination was a feeling of the necessity, be the fate of the Catholic Bill what it might, of shewing to the country that as full an attendance of members had been procured as circumstances would admit, during the discussion of its merits.

Sir *J. C. Hippisley*, although he did not see a noble viscount (lord Castlereagh) in his place, rose for the purpose of moving for certain papers, to which he had alluded on a former night, to the production of which he understood, from a conversation he had had with the noble lord that morning, he would have no objection. He had also intimated his intention to move for those papers to the right hon. gentleman the member for Dublin (Mr. Grattan), who had likewise declared, that he had no objection to their being laid before the House. It was his wish to have had those documents produced through the medium of the Select Committee, for the appointment of which he had so ineffectually contended on Tuesday night, and, in his labours to obtain which, he was successfully repelled by the eloquence and ability of a right hon. gentleman, he did not then see in his place (Mr. Canning). His devotion to the Catholic cause, he believed, was equal to that of the right hon. gentleman; they were, in fact, pursuing the same end, but by different means. The hon. baronet then began to move for copies and extracts of letters from sir Charles Stewart, dated Lisbon, and relating to the provisions made by the Portuguese government to prevent the encroachments of the See of Rome ; also, copies of the resolutions of the bishops in Ireland, and certain other papers, when he was interrupted by lord Castlereagh, who had just entered the House, and who said, he was not aware that the hon. baronet had given notice of this motion.—Sir John Hippisley said, he thought he had fully stated the object of his motion to the noble lord, that morning, and understood that no objections existed to the production of the papers for which he wished to move. He apprehended he had been misunderstood by the noble lord, however, and begged therefore now to give notice, that he should, on Monday, move for the papers to which he had alluded ; he begged, at the same time, to state, that he had no intention whatever of throwing the slightest obstacle in the way of the progress of the Bill then before the House. Having, however, exerted himself to procure a committee, without effect, he did not think he should be doing his duty, if he did not endeavour, by some other means, to procure that information which he was so desirous the House should possess. He certainly did not intend to oppose the second reading of the Bill, but he was equally determined not to support it. It was his intention, in the committee, to endeavour to amend the Bill, in such a manner as to render it less objectionable than it was at present ; and it was also his intention to oppose the clauses introduced by the right hon. gentleman (Mr. Canning), which he could not help pronouncing inconsistent with the opinions which that right hon. gentleman had delivered upon former occasions.

Lord *Castlereagh* said, that he had no objection, generally, to the motion of the hon. baronet; yet, as the papers for which he was desirous might be of a very voluminous description, he was anxious fully to understand the object of his motion, before he gave his concurrence.

Sir *J. C. Hippisley* assured the noble lord, that the papers for which he should move, were by no means of an extensive bulk, and merely related to the measures which had been taken to prevent the encroachments of the See of Rome.

Roman Catholic Relief Bill.] Mr. *Grattan* moved, That the order of the day, for the second reading of the Bill to provide for the removal of the Civil and Military Disqualifications under which his Majesty's Roman Catholic subjects now labour, be now read; and the same being read: the right hon. gentleman next moved, that the Bill be now read a second time.

Dr. *Duigenan* rose. This was a Bill, he said, which, far from being what it purported to be, a Bill for relieving the Roman Catholics, was, in fact and in truth, a Bill for the restoration of the Roman Catholic religion and the supremacy of the Pope in these realms. A Petition had been presented by the right hon. mover and was laid upon the table, calling itself the Petition of the Protestants of Ireland, prayed the unconditional repeal of all laws affecting the Roman Catholics. That Petition could not with truth be called the Petition of the Protestants of Ireland. He had read the whole of it, and the names subscribed did not altogether amount to 4,000, of which the name of the right hon. mover of the Bill (Mr. Grattan) was the third or fourth, while there were Petitions signed by upwards of 100,000 Protestants of Ireland against the Bill. The names, whatever boast might be made of their length, were not more trifling in number, than, with a very few exceptions, they were in respectability. It was not the Petition of the Protestants of Ireland. He looked over it with some attention, and found upon calculation that it did not contain more than 300 names of any note. The rest was a collection of obscure signatures, unknown to any person but themselves and their associates, of revolutionary characters, who had long laboured for the ruin of their country, and unfortunately escaped from execution; men amongst whom he regretted and was ashamed to observe the very few respectable persons who signed the Petition. This Bill had neither more nor less in view than the scheme pursued by James the 2d, when he was ambitious of introducing the Roman Catholic religion into England. It was supported, too, by the very same arguments of general conciliation, while in fact, from the principles of the Catholics, conciliation was impossible. Before he sat down, he would demonstrate, that the conciliation which the Bill was expected to produce, must for ever continue impracticable; that it must continue impracticable from the principles professed at present, and always maintained by the Catholics themselves. In the pursuit of a scheme not at all differing from that now in contemplation, James the 2d lost his crown. His Protestant subjects were then convinced that it would be ruinous to the constitution; and if, from a conviction of the injustice of such a scheme, they deprived him of his crown, how could the scheme be now a just one? If, by the passing of this Bill, it was declared a just one, the House should seriously consider how such a declaration would militate against the present succession, and subvert at once all the principles of the Revolution. If James was unjustly dethroned, the person who succeeded him was unjustly crowned; and what then became of his present Majesty's title? The tenets of the Catholics to which he alluded, and which in his mind rendered conciliation with the Catholics impossible, seemed to be very little understood by a great part of the House. The hostility of those tenets to all friendly connection with Protestants, he should shew to exist. They were unchangeable and constant, and could not be abated, mollified, relaxed, or altered. They inculcated the doctrine, that heretics were to be exterminated by all possible means in the power of Catholics; and it was only from impotence that such tenets were not carried into effect. Their impotence was the only security that Protestants had. They venerated the denunciation like the Holy Scripture: with them it was immutable and fixed. Those tenets, whatever others might pretend in argument, were as unchangeable as the Roman Catholic church itself, and he would offer sufficient proof of their unchangeableness. Roman Catholics held the church to be infallible. The church held that the decrees of councils were as binding upon conscience as the Scriptures—the tenets to which he alluded were to be found in those decrees. The consequence was clear without any further reasoning. They not only held the decrees of councils to be binding, but the present professor of theology at Maynooth maintained and taught, that the decrees of the Pope, when not dissented from by the bishops, were as binding as the decrees of a council. They must resort to the councils to see what the nature of some of those decrees were. The first council of Lateran, which decreed that no faith was to be kept with heretics, was held in 1215. It also decreed that when any temporal lord or people denied the supremacy of the Pope, their subjects were to be absolved from their oath of allegiance, and other princes were commanded to conquer their territories and reign in their stead. It was said that these decrees were become obsolete from age. Christianity could not be abrogated by time, and those decrees were held to be as immovable as Christianity itself.—Gentlemen, before they laughed at these councils as antiquated, ought to consider that the Christian religion itself was considerably more antiquated; but he should be sorry that Christianity, because it was much older, should be abolished by the comparatively modern Anti-christ. How could they call these decrees antiquated, which the Roman Catholic professor at Maynooth held up at this day to the admiration of his students? The professor at Maynooth maintained that the decisions of these councils were as binding as the Scriptures themselves. There was no reason to say, that those decrees were antiquated when the Roman Catholic divines themselves still maintained them. [The learned doctor here read several passages from the decrees, particularly marking those parts which went to absolve subjects from their allegiance to heretical sovereigns,—to excommunicate heretics,—to render them infamous, and to deprive them of all privileges of suing at law, of being witnesses, &c.] These, then, were the decrees which the Roman Catholics of this day declared to be unchanged and unchangeable: and yet it was proposed to pave the way for the Catholics to parliament and the bench! It was true, indeed, that those decrees were not now put in execution, but this proceeded from the inability of the Catholics so to do. It was utterly impossible to bind people of this description to any security. The oath taken by all Roman Catholic bishops led to the same effect. It rendered conciliation impossible. They swore to promote, and even augment the authority of the Pope. Dr. Troy indeed said, that a part of this oath was withdrawn at the desire of the empress of Russia. He did not know whether such was the case. The assertion rested on the authority of Dr. Troy. There was an oath also taken by every priest when he got a parish, in which he swore obedience to the See of Rome, and to the decrees of General Councils, and anathematized all heretics whom the church had anathematized. This was the doctrine of that church, out of which there was no salvation. No stronger oath of loyalty to the Pope than this could be devised by human ingenuity. They were sworn to prevent any encroachment on the regality of St. Peter, and to resist heretics, and persecute them to the utmost of their power! Could gentlemen really believe that they would keep the oath prescribed them by this Bill, when they considered the nature of the oaths which they took in regard to their own church, out of the pale of which, according to the prominent doctrines of their religion, there was no salvation? Let gentlemen compare the engagements of the Catholics to their own church, with the oath required by the Bill,—that no disloyal person should be recommended for appointment to their vacant sees; and when they had made the comparison, they might judge what was the value of this security. But since objections were made to the oldness of the council of Lateran, he would give them a more modern instance. The council of Constance came next. It was held in about 200 years after the former, and promulgated its *dicta* from 1414 to 1418. Its decrees were also maintained as binding by the same professor at Maynooth. This council declared John Huss and Jerome of Prague, heretics. They had the protection of the emperor Sigismund; but it being decreed, that all oaths and promises to heretics were null and void, as tending to the prejudice of the church, the protection of the emperor went for nothing. He had engaged for their safe conduct to and from, and at the council. This he stated, but the council soon silenced his scruples, by passing a decree, that any engagement with heretics was to be considered as null and void, if the keeping it should be prejudicial to the interests of the church. The council of Bazil was the next, and its decrees were admitted as well as the rest. The decrees of the council of Trent, which sat from 1545 to 1563, confirmed the decrees of the former councils: and yet these two were strongly recommended in 1809 by the Maynooth professor, 'cum 'rationibus dogmatum.' The consequence of the proceedings of the council of Constance confirmed by the latter, was, that John Huss and his companion, even in the presence of the emperor himself, whose protection they had, were burned, burned alive, and yet the professor at Maynooth took pains to preach obedience to the decrees of these councils. This council of Trent was defended by professor Delahoy, as a 'manuale doctrinæ' and 'compendium omnium precedentium conciliorum.' Here was a set of Christians to be put on a level with the Protestants—a set of men who were the notorious and unchangeable enemies of the Protestants, and who acknowledged the supremacy of a foreign potentate. They professed not to burn the heretics, for the church never shed blood, they only turned them over to the secular arm, which finished what the church had begun. These were the unchangeable decrees which the professor defended in the fullest manner. Here, then, was a sect demanding of parliament to admit them to all the privileges of Protestants in a Protestant country;—a sect which still avowed and defended tenets and doctrines which must render them irreconcilable enemies to the Protestants, and which was, besides, subject to a foreign power. But if, as they said, these decrees of councils were as unchangeable and binding as the holy Scriptures, he again asked, by what oaths imposed by Protestants could these people be bound? It was perfectly absurd to expect, that they should constitute any security whatever. There was an establishment for which they annually voted the supplies by which it was maintained, while those connected with it, refused to take the Oath of Supremacy required by their own government, and acknowledged the supremacy of a foreign potentate. If all the Catholics asked were granted to-morrow, they would still refuse to take this oath. Why did they not take the Oath of Supremacy? If they took that oath, there might, perhaps, be but little difference in that House on the subject. But then it was argued in their favour, that even their refusal to take that oath proved, that they had a regard to oaths imposed by Protestants; for nothing but such oaths had stood in the way of their attaining the object of their wishes. This, however, was easily explained. They made a distinction in their oaths. The Oath of Supremacy, for instance, related to an article of faith; and to take such an oath would be considered as an abjuration of their whole religion: in other matters they would take oaths without holding themselves bound to fulfil the engagements thus contracted; for other oaths, according to Dr. Troy, and all their other theologians, were not binding, according to the decrees of the church, which were unchangeable. He had already exposed the folly of supposing these decrees were abrogated, because they were ancient, or obsolete, as they had been called. They might as well say the law of our Saviour was obsolete: and no more attended to, as contend that because these decrees were old they were not considered binding. If these were held to be abrogated because twelve hundred years had passed since they were issued, it might with equal reason be contended that the law of our Saviour was also abrogated, as that was so much older. They valued decrees according to their antiquity, and to forsake a point of ancient faith was esteemed a mortal sin. Their slavery to the Pope was an open, notorious, undeniable doctrine, for he had with his own hand extracted it from their books of theology. The Catholic bishops were slaves to the Pope, as the Catholic clergy were to them, and in Catholic countries the lower classes were slaves to the clergy, while the Pope himself was the slave of Buonaparté. Buonaparté had made him subservient to all his wishes. He had got him to crown him, and to declare that no foreign bishop should have power in his dominions. Respecting these, the language of Buonaparté was, "that they had employed their spiritual influence to injure him, and that it had been demonstrated to him, (the learned doctor begged the House particularly to attend to this) that the exercise of such power as they had possessed in his dominions was inconsistent with the interests and independence of France, and the safety and dignity of his throne." This conqueror had declared, according to the Moniteur, sometime during the year 1809, that it was unsafe to allow any foreign bishop to have influence in his dominions, for they had employed their spiritual power to injure him, and he conceived that the spiritual superiority of a foreign prince was hurtful to the glory of France. This had been the opinion of Buonaparté; he had refused to suffer foreign influence in France, and had obliged the Pope to reside there, and would not suffer him to stir out of his dominion. Was it consistent then that in a Protestant country the Pope should be allowed to have greater authority than even in Catholic countries? In fact, the Pope was permitted to exercise a much higher authority over the Irish Roman Catholic clergy, than he was allowed to maintain over the clergy of France. Here, then, was a sect which would be satisfied with nothing short of placing the Pope on one side of the throne, and giving him a share in the government of the country; and upon such a people, they were talking of conferring political power and aiming at conciliation, which was utterly impossible. They had a manual, indeed, which directed them not to tell lies, and enforced some other moral duties; but that related only to the Roman Catholics themselves. To violate oaths imposed by heretics, when the good of their church required it, was with them neither a lie, nor breach of any moral duties. Such oaths, according to their doctrines, were absolute nullities. They thought that the Protestant religion ought not even to be tolerated. The learned doctor then proceeded severely to censure the Bill, and asserted it was of more consequence to Buonaparté to get this Act passed than to obtain twenty continental decrees. By means of this Act he might be able to stir up a revolution in this country and accomplish its ruin. This he could easily shew. Buonaparté named the Pope, the Pope the bishops over whom he had great power; the bishops named the clergy, with whom they could do what they pleased, and the clergy had boundless influence over the people; and, in fact, might be said to govern them. He now called upon the House to see what Buonaparté had done. He had not only got the nomination of the bishops into his own power, but he had prohibited the bishops from nominating a single priest without the approbation of the prefect of the province. Yet while this was done in France, a Catholic country, here all restrictions were to be removed, and Catholics were to be admitted to the highest offices of the state. In England they were desirous to place the Pope on one side of the throne, and make him as it were a partner in the government. A manual had been read to the House which forbade lying and swearing, but that was between Catholic and Catholic; he apprehended it extended not to their connexions with heretics. He wished the House to look what had been the conduct of those who were to be thus favoured here in other countries. They would not tolerate the Protestant religion where they had power. For proof of this they had only to look at the first article of the New Constitution of Spain, where it was enacted that the Catholic religion should be the religion of that country, and no other religion should be tolerated. Another proof of this he had lately met with in a work which he had read, wherein it was stated (this was a fair specimen of the feeling of his Holiness to a Protestant people) that Buonaparté had proposed to the Pope that all religions should be tolerated and freely exercised in France. What had been the answer of the Pope—of the present Pope? The proposition was violently rejected, as being contrary to the canons of the Romish church, and as being likely to lead to the most shocking consequences. And for this his Holiness was highly praised in a work in three volumes, lately published by a Mr. Keating, or a Mr. Delahoy. The passage was to be found in the first volume, page 43. The right hon. gentleman who had amused the House so much on a former evening, had certainly displayed much wit and humour, but he (Dr. Duigenan) could not think this was a laughing matter, but on the contrary, the gravest and most important question that ever came before the House. To him it appeared a most serious question, affecting as it did the constitution of the country, as it had been since the year 1558, the first year of Elizabeth, when the oath of supremacy was first enacted, which afterwards, in the 5th of Elizabeth, every man was obliged to take by law before he could sit in parliament. The right hon. gentleman had stated it to have been the intention of Mr. Pitt to do something in favour of the Catholics, but from Mr. Pitt's own words, (which he quoted) it was clear he had no intention of admitting Catholics to places of trust and power. After this how the right hon. gentleman (Mr. Canning) could think the clauses he had proposed founded on any thing that Mr. Pitt would have countenanced, he (Dr. Duigenan) did not know. He contended Mr. Pitt had never given such instructions to lord Cornwallis representing the Catholics, as he had been stated to have given. He had himself heard Mr. Pitt deny having given such, and he (Dr. Duigenan) was satisfied he was too great a minister to do so, or think of placing known enemies to the state in places of trust and power. This was contrary to the whole conduct of his life, and such statements were prejudicial to the character of that renowned statesman. Mr. Pitt had never mentioned any specific plan: and from his opposition to the attempt of Mr. Fox, in 1790, to repeal the Test and Corporation Acts, as well as from several other passages in his speeches, it was evident that Mr. Pitt could not have consented to have given political power to those whose principles were inveterately hostile to the British constitution. It had been said, that Mr. Pitt had authorised the publication of certain statements, that the ministry who went out in 1800 would not accept of any situation in the government, unless large concessions were made to the Catholics. This, however, Mr. Pitt had openly denied; and lord Cornwallis had stated, that he had not the authority of Mr. Pitt for the publication of any such resolution on the part of the ministry. Mr. Pitt was too wise a minister ever to have admitted to parliament and the great offices of state those whose doctrines rendered it impossible for them to be loyal subjects. He hoped no gentleman would in futûre amuse himself with endeavours to unravel that wonderous statesman's designs: such a design was contrary to the tenor of his life, and to suppose it was an insult to his memory. He wished to know what could be the great grievances of which the Catholics had to complain just at this time, that they should publish a manifesto like that which they had just sent forth to the world, in which a noble lord, the judges (one excepted), and other distinguished persons, were treated with the most virulent abuse. This publication, too, contained menaces which, but for the countenance they had lately met with in this House, the Catholics would not have dared to have thrown out. But for this countenance and support, they would not have dared to act as they had acted; knowing their own impotence, they would have been more cautious, knowing that it took the Protestants but one month, in 1798, to put them completely down, and knowing that the Protestants were ready again to put them down in the same manner. Every means had been resorted to, to swell the importance of the Catholics. Their numbers had been greatly exaggerated, and the House had been repeatedly told of the sorrows of five millions of their suffering brethren. The whole population of Ireland did not exceed four millions of persons, and it was admitted by the Catholics themselves, that in Ireland, there were 800,000 Protestants.—It had been stated that the established church of Ireland cost the country annually 20,000,000*l.*, which was transmitted out of the country to absentees, who were the bloodsuckers of the nation. The income of the established church, it appeared, on a careful calculation, did not exceed 382,000*l.* This exaggerated statement of the expence of the established church, was like their vain boasting of their numbers. In some parts of their late publications they represented themselves to be in a state of depression and extreme poverty, yet in others they made a most magnificent display of their numbers, their wealth, and their power, with as much regard to truth as was observed in their 20 million church expence story. They boasted of the greatness of the wealth and influence of the Roman Catholics, who had not above a 50th part of the real property of the country, and not a 10th of the personal property. In the same spirit they had represented the income of the Board of First Fruits to amount yearly to 20,000*l.* He was himself a member of the Board of First Fruits, and could take upon himself to say, that it had never yet exceeded 400*l.* per annum. He mentioned these things, to shew the monstrous falsehoods they were capable of sending forth to the world. It was said the Catholics were fighting our battles. He admitted that we had Irish troops in our armies. But as to the number of Roman Catholic soldiers and sailors,—instead of constituting one-half of our force, as had sometimes been stated, there was not in the army and navy, including militia, above one-eighth of the whole. A considerable misapprehension arose from considering the Irish as all Roman Catholics; whereas the whole of the officers, and one-half of the soldiers, were Irish Protestants. The cause of so many Roman Catholics being found in the army was, that the condition of the soldier was so much more eligible than that of the Irish peasantry at home, that their priests could not prevent them from enlisting.

In spite of them they would enlist; and, notwithstanding all that had been said of the advantages which the union of the Catholics and Protestants would give in adding to our military force, he was confident that the passing of this Bill would not cause one man to enter the army. In speaking of the Irish in the service, it was a common practice to assume that every Irishman must be a Catholic. Of the Irishmen now in our army and navy, half were Protestants. He hoped no one would be induced to vote for this Bill from the menacing tone of the Catholics. If they dared to stir, they would be put down in a month, as they had been put down on a former occasion. The learned gentleman, reverting to the Pope, observed, that he was much more formidable as the slave of Buonaparté, than when he was free. The argument that the present abject situation of the Pope must preclude all apprehensions was futile; he was never formidable from his temporal power, but from his influence over the minds of the people, and at present being the slave of Buonaparté, his influence was more to be dreaded than ever. He would now, if the prayer of the Catholics was granted, have to decide on the legitimacy of children, on the claims of Catholics to estates, to settle disputed titles, and this alone would give him great influence among them. His spiritual authority was necessarily attended with civil influence, as any one must perceive, who considered the power of excommunication, and that over their sacrament of marriage. He could not approve of this Bill. He could not consent to repeal the 1st and 5th of Elizabeth, the Acts of Uniformity, and the Test and Corporation Acts. If these, which had been pronounced by our best lawyers to be the bulwarks of the constitution, were to be repealed, he wished to know where they would stop. With all the boasting of the Catholics, they had not among them a tenth part of the property of the country; and if this Bill were passed, there would be, he would not say in the next session of parliament, but in the course of two sessions, the most infamous impositions practised to procure the return of members to parliament by means of 40*s.* freeholders. What security could the Protestants have when those Roman Catholics were admitted into parliament, that they would not overturn all the oaths and other means which had been provided to secure their loyalty? Where could they stop if once they brought such a party into parliament? That it would be a considerable party, he had no doubt. A 40*s.* freeholder was generally a labourer who had a piece of land about an acre, or frequently less, for which he paid as high a rent as any other person would pay, but he paid it with his labour. On this he raised a little miserable hovel, which in Ireland was commonly called a cabin. To make this he built three mud walls, the fourth being supplied by the bank of a dry ditch. He made one hole in it, which he called a window, and another which served for a door. The hole which served for a window, served also for a chimney to let out the smoke; and to keep out the cold of a night, these holes were stopped with hay. The owner of such a place goes and registers himself as a freeholder. He swears that he has a freehold of his own, worth 40*s.* a year—after payment of his rent, though, in fact, it was rented as high as it possibly could be, but then it was not paid in money but in labour. These freeholders had so much increased of late years, that in one county, where there were formerly 400 votes, there were now 11,000.—By which means the elective franchise was placed in the hands of the meanest of the populace. These practices would become still more prevalent if the Bill passed, and in less than 20 years the Roman Catholics would return 60 out of the 100 members, while 30 would be added to the party in England. The Catholics always, however they might differ in other things, in any thing that appertained to religion, stick together like a flock of bees. They would thus obtain a dangerous influence in the state, as they might be expected to say to the minister when he had any particular measure to carry, "If you will do so and so for us, we will support you with such effect, that the opposition shall not dare to shew themselves; we will carry this favourite measure of your's for you, provided you in return enable us to accomplish the object which we have in view." They would get possession of all the places of trust and profit in Ireland, but they would not stop there. The petitions in favour of the Catholics had been signed by all those who were anxious the two countries should be separated. They wished to repeal the Union, and have the whole of the representation to themselves; and this gained, was it not to be expected they would try to do that which they had attempted in the reign of James 2, to separate the two countries? In less than 20 years, if the Bill passed, that would be seen. This country would again have to send over an army to conquer Ireland. But if the separation should be effected, they ought to consider in time how Great Britain could stand alone in the present state of Europe. They ought to consider what might be the consequences of passing this Bill. For his own part he was now a very old man; he had lived past the time usually allotted to the life of man, even in the Scripture, and could not expect to live to see that which he feared, but at the close of his life he was sorry to see the constitution in danger. He had no chance of living to see these calamities: but he had a regard for the constitution, and for that reason he thought himself bound to give this warning. To shew the implacable hostility of the Catholic clergy, and their disloyalty to the crown and the state, he noticed their conduct in 1809. When the Catholics, at a synod held at Tulloch, in Ireland, by an unanimous resolution, approved of that bull of the Pope which confirmed the elevation of Buonaparté to the imperial crown of France, whereby they acknowledged that usurper, with whom we were at war as sovereign of France, to the exclusion of its lawful king, and sanctioned a system which deprived all those inhabitants of France of their estates who would not submit to the new order of things. This was not a concern of religion, but an act of disloyalty to their king. What right had they to signify their approbation of that bull? It was done from a wish to conciliate Buonaparté with a view of procuring his assistance? The conduct of the Catholics had been such, that instead of giving what they did not at present possess, there were he thought good reasons for withdrawing the elective franchise from them. What could be expected from people of this description? It had been argued that as the elective franchise had been given to the Roman Catholics, they ought not to withhold the representative privilege. But in his opinion, the argument proved the reverse of what those who urged it intended it should prove. If the possession of the elective franchise rendered it necessary for Roman Catholics to have the representative privilege, then, in his opinion, they ought to be deprived even of the elective franchise. What right had they to acknowledge the supremacy of any foreign power? If we were one nation, the people in both countries ought to be placed in this respect on the same terms. The Acts which it was proposed to repeal by the Bill, were the 1st and 5th of Elizabeth, the 25th of Charles, and also the 30th, commonly called the Corporation Act. But he would contend that the Regent was bound to preserve all these Acts. He wished to know how, consistently with the pledge given in the Coronation Oath, the sovereign could give his assent to the Bill. They all knew what had been the feeling of the King on the subject; and how could the Prince Regent, acting in the name and on behalf of his Majesty, do that for him, which had his reason been spared, he would not have done himself? It was idle to argue, that, if the two other branches of the legislature should agree to the measure, the sovereign would be bound to assent to it. That would be to make a cypher of the King: for the Houses of Parliament had no power to dispense with the obligation of the Coronation Oath. The right hon. and learned gentleman then took a review of the arguments of a learned gentleman opposite (Mr. Plunkett), ridiculing the nature of the corporation oaths; and opposed to his authority the opinion of a great constitutional lawyer, in the reign of William and Mary, when it was proposed to repeal the 30th of Charles 2. It was laid down then, that the Romanists ought to be contented with the protection of their persons and properties, and that if that Act were to be repealed, it would be attended with danger to the state. He had already adverted to the Oath of Allegiance, which contained a declaration that the Pope had no power in temporals. But that doctrine was contrary to the decision of their councils, and must, therefore, be considered by them of no validity. The Popes had exercised temporal power in the cases of Henry 3 and Henry 4, of France, and in the case of Henry 8, and Elizabeth, in England. When they asserted doctrines then, so contrary to what had been the practice of Popes and the authority of councils, did not the House feel the contempt in which their present declarations ought to be held? Then as to the opinions of their universities, a great deal had been said about the opinion which many foreign Catholic universities had given about certain points that were alleged to be tenets of their faith. He did not mind the opinions of those Catholic universities. There were many instances of important cases left to their opinion, in which half of those universities were on one side and half on the other. This was the case when Henry 8, wished to divorce his queen Catharine, the opinions of those universities, Douay, Salamanca, Sorbonne, &c. had been taken on the subject; and one half decided that his marriage was invalid and incestuous, whilst the other half declared it to be lawful and perfect. The fact was, they were bribed on both sides—on one by the agents of Henry 8,—on the other by those of Charles 5; and it was remarkable that Bonner was one of the agents of Henry 8, in the distribution throughout Europe of the bribes to the universities. But as to the obligation of an oath, let themselves speak. Dr. Milner (a laugh) yes, Dr. Milner, notwithstanding the sardonic smile on the countenances of the hon. gentlemen—Dr. Milner, who was the general agent for all the Catholics of England and Ireland, maintained that the obligation of an oath was to be measured by expediency; and Dr. Lanegan, an Irish titular bishop, held nearly the same: in short, there was no such thing as holding them by any oaths; even the Doctor Subtilis of the right hon. gentleman who had the other night entertained the House with so much wit and humour—even that same doctor, Thomas Aquinas, held that an oath might be broken, if after having taken it a person should come to the knowledge of a fact which if he had known previously would have prevented him from taking it. But the same doctrine had at a still later period been maintained by the Pope: when to appease an insurrection of his subjects in Hungary, the emperor of Germany had entered into a treaty with them, and took an oath to observe it faithfully, the Pope in 1712 issued a bull, declaring both the stipulations of the treaty and the obligation of the oath to be void. He objected, therefore, to the whole of the Bill, and particularly to the amendments of the right hon. gentleman (Mr. Canning.) These amendments provided, that certain commissioners should be bound by an oath not to recommend any individual to a bishopric whom they should not believe to be loyal. This was the only security provided. But it was impossible they could be loyal whilst they acknowledged the supremacy of the Pope, unless loyalty to the Pope were meant. When the Veto was rejected, the right hon. gentleman was put to it to find out some other security. The Veto gave to the crown an absolute nomination of the Roman Catholic bishops, but the right hon. gentleman's amendments gave the crown no power, though they would give to the commissioners some interest. The clauses, however, which the right hon. gentleman (Mr. Canning) had thought such ample security, were disapproved by the Catholic clergy; and Dr. Troy had publicly said that he considered those clauses respecting the church as worse than the Veto. The Veto, it was to be observed, had been objected to, because it gave a power to the crown to controul the appointment of the bishops. The substitute proposed for this was the communication of private intelligence by the bishops, &c. to the Secretary of State, of any bulls, &c. What power, however, did this give to the crown, except that it might turn into great advantage to the bishops themselves?—But supposing any person to fail in fairly and fully communicating all such information, the only punishment was that they should be sent out of the kingdom, without any provision even being made as to the mode in which he should be sent out. Even should the Bill as it now stood pass, he was well convinced it would not give satisfaction to the Catholic Board, who would at once say, that they could not approve of it because the nomination of the bishops belonged to the Pope. He saw even by the papers received this day, that Dr. Troy had sent a deputation to the Catholics to intimate his entire disapprobation of the Bill.—["It is not so" observed a member sitting near the learned gentleman.]—He had seen it stated in the public papers, and had no other authority for his assertion. Under all these circumstances he should feel it his duty to move, that instead of 'now' the "Bill be read a second time this day three months."

Mr. *Charles Grant*, jun.

Sir;—In presuming to offer myself to your notice, I do not intend to enter into the theological topics which have been urged by the right hon. and learned gentleman. I should not indeed, under any circumstances, feel myself qualified to do so; at present, I am relieved from the obligation of making the attempt, because, and I say it with the most sincere deference for the hon. gentleman, for whose venerable age and many virtues I have the highest respect, I think that I heard the same arguments from him in the last session, and that I then had the satisfaction of hearing those arguments completely answered by the right hon. gentleman on the floor (Mr. Canning.) The learned gentleman has complained of the tone and manner in which this question has been pressed by its friends upon the attention of the House. I think they might with at least as much reason complain of the warlike tone which has run through the whole of his speech. Indeed, Sir, I cannot imagine, how it is possible to come to this discussion with other feelings than those of reluctance and regret. For surely the exclusion of so large a portion of our fellow subjects from the common lot of the empire, must, in every view of the case, be in itself an evil, forced upon us perhaps by imperious circumstances, and to which we submit, in order to avoid still greater evils; yet independently considered, and in itself an evil. We should, therefore, as it appears to me, approach this discussion with the feelings with which we should consult in common respecting a common misfortune—with an anxious wish rather to discover the means of its removal, than to invent arguments for its support; and if, after full investigation, such a system be found absolutely necessary; it should be regarded not as a bleſsing to be cherished, but an evil to be endured. I cannot therefore allow, that this system can be legitimately defended by arguments drawn from the constitution. It is an exception to the general rule; it is a deviation from the general spirit of our policy; imposed upon us, if you please, by irresistible considerations; yet still a deviation. It is not an integral part of the constitution, and must, therefore, be justified on its own grounds, and not on the principles of the constitution. It may be called constitutional in the same manner in which any calamity to which we submit in order to avoid a heavier evil, may be complimented with that title; but it can never be classed among those privileges of which the free people of this country are so justly proud. It can never be defended with the same spirit and temper with which we defend the Bill of Rights or Magna Charta.

There is nothing in truth so amiable in this system as to make us particularly anxious to give the credit of it to our constitution. If we may judge by its effects, never was a system invented more pernicious and fatal. It proceeds upon ideas irreconcilable with any notions of well-regulated freedom. It creates a broad distinction between two classes of subjects of the same state; and thus destroys that harmony and fellow-feeling which are essential, not only to the happiness, but to the very existence of an empire. It not only creates a distinction, but it produces a degradation of the one class and an extravagant exaltation of the other. It produces a sense of depression which tends to check the expansion of the moral faculties, and to retard the progress of improvement and civilization. Nor is this profound sense of depression a new sensation. It is not now for the first time experienced. The wound has long been rankling in the bosom of the Irish people. It is not an insulated feeling. It comes loaded and sharpened with all that is gone before; aggravated by the recollections of history and the traditions of their fathers. The bitter contests which took place between the two countries, from the moment of their first acquaintance, might naturally have been expected to excite in that people an alienation with respect to England, amounting even to antipathy. That disposition gathered strength in its progress; till the war which followed the Revolution of 1688, finally broke the pride of Ireland, and consummated the oppression which had been accumulating for ages. The struggles of that period called forth the most powerful and malignant passions of the human mind, all that was dark in bigotry, or fierce in national pride, all that was inflexible in loyalty, and invincible in the love of freedom. That domestic quarrel, aggravated by every circumstance which gives peculiar malignity to civil warfare, left behind it many a painful thought and bitter recollection; it left the thought of mutual crimes and sufferings; of injuries inflicted and received; of disappointed hopes, of malice unsatiated, of vengeance unappeased; it left the thought of days of conflict and nights of suspence and pain; of alternate success and defeat. It left on the one side, the restless galling and feverish remembrance of shame and humiliation; on the other, the proud, but not peaceful recollection of ultimate triumph. These animosities, however, fierce as they were, might have gradually worn away. A generous policy would have assisted the healing influence of time. A wise policy would have abstained from counteracting that influence. But what shall we say of that policy which seemed to tremble only lest the sorrows of that period should be too soon forgotten. We invented a system of which it was the merit to keep alive those animosities, to revive what was cold, to renew what was fading, and thus to stamp afresh on every generation the crimes and follies of the preceding. We wished to transfuse that spirit into the genius of our civil liberties. We polluted the code of the national legislature with its effusions. We attempted to make it immortal by uniting it with the immortality of the constitution, and hung the bloody spoils of those unhallowed victories round the altars of a pure and beneficent faith. That system has completely answered its purpose. It has succeeded in correcting the influence of time, in rescuing extinguished crimes and decaying resentments from oblivion; and in thus transmitting, not only unimpaired, but strengthened, from age to age, all the anguish and indignation of the first defeat, all the flush and wantonness of the first conquest. We see its effects in the practical developement of that fatal watch-word, the Protestant ascendancy. By this expression, I do not mean that just ascendancy of mild laws and humane government which is implied in the very formation of every society; and which must peculiarly be maintained in Ireland, so long as the Protestant is the established religion of that country. I do not mean that ascendancy which is perfectly consistent with the utmost benevolence between the subject and the ruler, which tends to cherish a spirit not of slavish submission nor yet of indignant resistance; but of generous and unbought loyalty. I mean that other ascendancy which is grounded on contempt and suspicion and hatred; which exalts one class on the ruins of another; which mixes itself with the daily intercourse of man and man; which poisons the whole course of life, civil and domestic; which operates as a standing insult to the Catholics, as a fresh triumph daily renewed to the Protestants; and which even in the hour of mirth and conviviality reminds the Catholics that they are a vanquished people. So long as this ascendancy is maintained, there will be always a bar to the improvement of Ireland. I know there are other evils of which she has reason to complain. I am happy to find that these evils have excited the serious attention of the legislature; and I trust they will be to a great degree removed by the benevolent measures which are now in progress; but while this vindictive principle is allowed to operate, it will, I fear, tend very much to retard, if not to defeat the effect of those measures. It is in vain that you attempt to improve, to conciliate, to civilize; amidst the profusion of all your benefits, there is one region beyond the range of kindness; there is one barren spot which no blessed influence can visit, which no conciliation can reach, no benevolence ameliorate. And supposing, that in every other respect you succeeded in securing the affections of Ireland, still, while this remains, you are never safe. If at any time (and no government is exempt from this contingency) a serious cause of dissatisfaction should be given, you have before hand provided a rallying-point for all such discontents. You have prepared a fortress, in which the unburied resentments may be treasured up and reserved for the day of vengeance, and in which every malignant propensity may find a congenial climate. Every minor grief, every inferior sorrow will here fly for shelter and protection. You cannot excite a single passion, without striking the chord to which all the strong passions reply. You cannot awake a single feeling of jealousy without rousing a host of animosities that ever keep watch round the master grievance. If under such circumstances, we hope that the other means of conciliation which we may have successfully used, will be effectual to counteract any evil consequences of popular discontent; I fear a slight knowledge of human nature will prove that hope to be unfounded. For these considerations of benefits received and obligations incurred, do indeed, in the hour of peace and good will, conciliate and unite men; but in the moment of irritation they serve only to exasperate discontent and add bitterness to hostility. 'Quæres apud concordes 'vincula caritatis, apud insensos incita'menta irarum sunt.'

But it is said, that the penal code has in fact, as to its really obnoxious part, been repealed, and that these arguments are therefore inapplicable. I know, Sir, that the system of which we are speaking, has, in a great measure, been abandoned; but it is not all abandoned. The spirit still lives; the principle is active and avowed. So long as a fragment of it remains, the same mind will haunt the ruins. There will be always something to check harmony and confidence, something to alienate and irritate. In order to establish a new system, we must begin by ploughing up the foundations of the old. But to confess the truth, that part of this system which is still preserved, appears to me at least as objectionable in principle and as galling in practice as any of those which have been exploded. I allude to the exclusion of the Catholics from this House. Although this exclusion is approved by some very high authorities to which every man gladly pays deference; I must regard it as a violation of the first principle of the constitution. The constitution requires that the representatives should be chosen by the electors from among their own body.—The expulsion of the Catholics from the House of Commons seems to me to have been (if I may so speak) the most overt act of expulsion from the privileges and rights of the constitution that could have been committed. I believe it is one feature in the character of the lower classes of the Irish, (at least in some parts of the country,) that they have no sense of the moral obligation of obeying the laws. I do not bring this as a charge against that people. I mention it with pity and regret. It is an effect of the system; and the great cause of it undoubtedly is, that they feel no identity of interest with the power from which the laws issue—they feel that the laws do not flow from themselves, that they are enacted by men with whom they have no common points, who differ from them in manners and habits, and above all, in religion; and who precisely on account of that difference forbid them to share in the legislation. From such impressions, is it surprising if such consequences should follow?—But how will you correct this evil?—Give them a fellow-feeling with the government. Give them to know that there is a spirit in parliament which can sympathise with theirs. Let them regard the acts of the legislature as flowing from their own body through their representatives.

Sir; I do not wish to dwell upon the shame of my country; but it is lamentable to consider how few have been the advantages which Ireland has reaped from her intercourse with England. Since the commencement of that intercourse, England has advanced in prosperity; she has acquired renown; she has achieved greatness by sea and land; she has suffered indeed some reverses of fortune; but on the whole, her path has been a stream of light and fame. What a mournful contrast to this spectacle does afflicted Ireland present! There it is the same dark succession of crime and misery—a dismal monotony of inflictions and penalties; or if there be any variety, it is the variety which springs from more intense suffering, and aggravated oppression. How melancholy is it that those periods of our history to which we recur with the fondest exultation, should to her be memorials of a very different meaning! Every fresh æra of our greatness has to her been a new æra of depression. Our very blessings have worn to her a withering aspect. Her humiliation has always kept pace with our aggrandisement:

“In equal paths our guilt and glory ran.”

Look back, Sir, if the retrospect be not too painful, I will not say to our first acquaintance with that kingdom, but look to the reign of Elizabeth, to us a reign of glory, to Ireland a reign of terror. Look at the Restoration, to us a day of joy, to Ireland signalised only by the preference given to the claims of regicide usurpers over the rights of a brave and loyal people. Look at the Revolution from which we date our liberties, and she dates her subjugation. The brilliant reign of Anne, the accession of the House of Hanover, the war of 1745,—all these were to Ireland periods of misfortune and degradation. But, it seems, in return for these evils, they have our constitution. Why, Sir, have they our constitution? What do they know of our constitution, but by its penalties and privations? They hear indeed of its excellencies, but how do they see them practically exemplified? They hear of equal rights and privileges, they find themselves under a ban of exclusion. They hear of those minor offices in corporate towns which flatter the innocent vanity of men, and give them a local distinction; they find that those offices are denied to them. They hear of the trial by jury; they find, that in consequence of the existing laws which preclude Catholics from being sheriffs, the juries are almost entirely composed of Protestants. They hear of the elective franchise; they are told they possess that franchise; they approach to the exercise of it, they find themselves fettered by restrictions which the constitution in no other instance recognizes. Is this the British constitution? Is it here we would send a foreigner to study our constitution? It may have some resemblance to it—it may, if you please, be an aukward imitation of it—a system cast in some broken mould of the constitution, but certainly not stamped glowing and alive from its finished excellence.

If this system be injurious to Ireland, it is no less so to the empire at large. The very loss of so much talent and spirit which are now proscribed from contributing to the common cause, is a most serious loss. Is it consistent with any principles of political science, that so large a class should be cut off from the common feelings and interests? Can that empire be called secure, or happy, or flourishing, the one fourth of whose population is allowed to lie fallow; of which so main a limb is paralysed? Let it be supposed, for the sake of illustration, that circumstances had been reversed; that the Catholics had possessed the ascendancy in Ireland; and had governed the Protestants according to the existing code of penal restrictions. What would have been the result! What an extinction of individual and national glory! How many transcendant names would have been swept from our annals! What darkness instead of the light which the genius of Burke has shed over the last thirty years! Lord Wellington would have been wanting to the destinies of his country; and the liberator of Spain might have been content to head an Austrian brigade. We should not have known what pathos is united with the comic powers of Sheridan. We should not have listened to that most able and argumentative speech (Mr. Plunkett's) which on a late debate on this subject so powerfully commanded the attention and applause of the House. We should never have heard that voice (Mr. Grattan's) which first dissolved the fetters of Ireland, and which now in a new sphere under other circumstances, still with undiminished eloquence pleads the same cause; that voice which will soon, I trust, be called no longer to marshal our efforts in the pursuit, but to proclaim our success; no longer to animate the battle, but to chaunt the triumph.

It were well indeed, if under present circumstances, that portion of the empire could be called inactive or paralyzed. If you could extinguish the faculties which you imprison, if you could crush the feelings which you attempt to fetter, if you could sweep those four millions from the face of your empire, you might speak of safety,— a miserable cowardly safety indeed, yet something which might give a pretext for that name. But here there is no sleep, no torpor. Here is active life chained. Here are beating hearts and kindling pulses condemned to inactivity and servitude. Here on the one hand, is nature rousing the mind and prompting the genius to aspire; on the other, is man restraining the powers, quenching the light of the passions, and beating down the aspirations of genius. Oh, vain and impotent struggle! Do you think you can vanquish the laws of nature? You may drive these passions from their natural course, but you cannot destroy them, you cannot make them idle. If you deprive them of their proper sustenance, they will seek out other and more pernicious aliment. If you exclude them from their native theatre, they will open for themselves new scenes of action. If you forbid them to rally round the throne and the constitution; they will, they must exercise themselves in a manner injurious to both. Thus it is, that your efforts are productive only of danger to yourselves. You cannot remove the means of harm, but you take away all incentives to good. You exasperate rage, without disarming vengeance. You bind the strong man, but you leave his locks unshorn.

But it seems, that even if all this be true, yet there is something in popery absolutely incompatible with the existence of any well organized government. Really, Sir, I was both surprised and grieved to hear the learned doctor retailing once more those charges against the Catholics which I had hoped might have been allowed to rest in the oblivion which they so well deserve. Is it not singular that we should be gravely addressed by arguments which are refuted by the experience of every day?—We are told that the oaths of Catholics are not to be considered as binding; and yet in our courts of justice, the oath of a Catholic is taken against a Protestant in the most solemn cases, in cases of property and of life. We are told that Catholics do not acknowledge the obligations of treaties; and yet Europe has lived for ages upon the faith of treaties. It is a remarkable circumstance with respect to the treaty of Westphalia, the contracting parties to which consisted both of Catholics and Protestants, that the Pope, even while it was under negociation, protested against it, refused to have a share in it, and publicly declared it null and void; and yet the Protestants felt no hesitation in accepting the signatures of the Catholic powers, and although since that time, that treaty has been disclaimed and declared of no obligation by more than one Pope, it continued till the French Revolution the standing law of Europe. We are told of the bigotry and intolerance of the Catholics; and yet no religion has produced greater instances of universal charity. I should not, however, now have adverted to this topic, if I had not lately met with a passage which may throw some light upon it; and as a proof, how far this reproach may be true, I shall beg to read to the House, an affecting declaration taken from the dying mouth of a distinguished Catholic, of one who was eminent for his attachment to the See of Rome, and who indeed fell a martyr to that attachment. "I pity with all my heart our brethren who may be in error; but I do not pretend to judge them; and I do not the less love them all in Jesus Christ, according to what Christian charity teaches us."—These words occur in the last will of Louis XVI. Such was the intolerance bequeathed by that monarch to his successors on a Catholic throne!

How differently do we judge of Protestants and Catholics! How differently do we judge of the same facts accordingly as they are connected with the one or the other of those classes! If I were to relate to a strong opponent of the Catholic claims, who might not have a very lively recollection of that portion of our history, that, at a period when religious differences ran high, and the Catholics were the predominant party, the most unfounded and atrocious calumnies were industriously circulated against the Protestants; that the fury of a Catholic mob thirsted only for blood; that many Protestants were seized and condemned upon frivolous pretexts; and that at length, amidst others of inferior name, one noble victim was selected. If I were to add, that this illustrious person, eminent for high descent and venerable for his age and virtues, was, after a tedious imprisonment, brought before a tribunal of his peers; and that his judges, partaking the delirium of the people, attempted only to perplex and harrass the prisoner, anxious not to obtain truth, but to find a pretext for the utmost severity of the law. If I were to add, that this nobleman was condemned and executed upon the evidence of three witnesses, of whom the first by repeated prevarications and falsehoods proved himself perjured and infamous, the second, in addition to perjury equally palpable, confessed that he had for several years lived under an engagement to commit assassination; and the third notoriously united in himself every thing that is detestable in hypocrisy, in malice, in apostacy. If I were to add, that at that moment there was upon the bench a Catholic bishop, who, from peculiar circumstances, had it in his power to give information which would have more decisively proved the infamous character of one of the witnesses, and have made bare the nature of the plot formed against the life of an innocent man; that in a case in which common honesty and common humanity could not hesitate for a second, this Catholic bishop saw much reason to doubt; and that he resorted to his friends for advice. If I were to add, that these his friends, themselves dignitaries of the Catholic church, after mature deliberation resolved, that the disclosure should not be made, and so resolved precisely on this ground, that it was not safe to make the disclosure, thus betraying at once the motives of their conduct. If I were to add, that at a period long subsequent, a Catholic historian, himself one of those advisers, relates these circumstances without a single expression of regret or contrition—what would be the remark—"Oh, the spirit of Popery! Oh, the bloody intolerance of Catholics!" But, Sir, if I were to reverse the narrative, if I were to relate that this was a period in which the Protestants were predominant, that this was a Protestant mob, that these were Protestant judges, a Protestant bishop, a Protestant historian, (and the House will anticipate that the historian was bishop Burnet, and the victim lord Stafford) what then would be the reflection—"Oh, the spirit of the times! Oh, the madness of the people! Oh, the weakness of human nature!" True—but why is not the same candour extended to the Catholics? Why is it in their case alone that we must forget the mitigating circumstances of time and opinion and human infirmity? I trust it is no proof of disloyalty to that reformed faith to which I profess myself among the most loyal, if I acknowledge my regret that we should have allowed ourselves to descend to such bitterness of accusation; that we should have adopted modes of reasoning which in any other case we should have avoided as unsound and condemned as uncharitable. It is surely singular, that in discussing things present we should draw arguments only from things past and forgotten. It is singular, that upon a subject of all others depending on the fluctuations of opinion and the fugitive caprices of the time, we should run back to the 9th and 10th centuries; we should take up a position in the depth of the middle ages, and because that post is impregnable, claim the victory and condemn the Catholics. We gather up the random expressions of the worst of men in the worst of times—expressions still more remarkable for their absurdity than their wickedness. We appeal to names held in as much abhorrence by the Catholics as by the Protestants. We ransack the graves of those who have long ceased to be remembered, for obsolete enormities and sins that have sunk under the weight of ages. Sir, I protest against this mode of deciding a great question. I protest against holding a trial upon the 11th century, and pronouncing sentence against the 19th.

It has been said that the present Bill does not provide for the attainment of the objects which it professes to have in view. I do not now mean to enter into the details of the Bill—I feel incompetent to enter into them; and at any rate that is a discussion which will with more propriety take place on a future occasion. But generally speaking, I confess, the Bill appears to me admirably calculated for the accomplishment of its purpose. While it communicates advantages to the Catholics, it is not unmindful of the indispensable obligation of securing in the first place the Protestant religion.

It proceeds upon this fundamental principle, that the British constitution is essentially Protestant. It proceeds also upon this other maxim which indeed flows from the former, that so long as the sovereign and the ecclesiastical powers are Protestant, so long the constitution is Protestant. I cannot conceive it possible that it ever entered into the heart of any man who supports this Bill either in or out of the House, to separate our civil from our religious institutions. Never could a more desperate imagination have been entertained. Never was wisdom more wise than when she bound in one those two branches of the constitution. The rays which adorn the altar, are rays of strength no less than glory to the throne.

It is upon this truth that the Bill is founded—While it is anxious to secure to every class of Christians their just rights, it jealously protects the throne and the altar from the approaches of any unhallowed influence. It watches with peculiar jealousy over the integrity of the church—it assumes the guardianship of the Protestant priesthood through all the stages of its progress, from its first entrance into the temple of knowledge, till its final admission to the sanctuary. It conducts the candidate for orders in his childhood to the pure fountains of instruction; it guards his youth from the contagion of false doctrine, and thus presents him prepared in manhood for the discharge of his high functions.—It then rises to a higher sphere, regulates the distribution of ecclesiastical patronage, and presides over the dispensation of ecclesiastical justice. Thus it extends its vigilant survey over the whole range of our ecclesiastical institutions; in all their departments, through all their duties, their honours and rewards—securing, as I trust, from every violation, that Protestant constitution which it is our duty, and I have no doubt our most anxious wish to transmit unimpaired to the latest posterity.—When, however, I hear so much said respecting the necessity of securities, I own it strikes me as rather an ill compliment to the clergy of our church. It would seem as if those who were so clamorous for securities imagined that any Bill in favour of the Catholics would be a death-blow to the zeal and vigilance of our priesthood; and yet it is in that zeal and vigilance, and piety, that we must place our main dependance. I was, therefore, extremely sorry to hear the unjust and illiberal reflections that have been cast upon those of the clerical body, whose petitions against the present measure are on your table. I particularly allude to the university of Cambridge, of which I have the honour of being a member, and for which I feel a deep affection. It is no less the duty than the right of these various bodies, and especially of the universities, to watch over the interests of the Protestant cause, and to present their apprehensions to the consideration of parliament. I was sorry on every account to hear this conduct censured; but more especially because, as I have said, the spirit which dictated such conduct is precisely the spirit to which we must look for security, and from which the most timid may draw reasons for confidence.

It is remarked by a great author, in allusion to the maxim "that money forms the sinews of war," that after all, the true sinews of the war are the true sinews of the men by whom it is waged. Whatever varieties of opinion may prevail respecting securities, the true security of the Protestant church, must after all be found in the living excellence of the Protestant clergy. Whatever safeguards we may invent, whatever ramparts we may throw up, whatever spells we may breathe round the altar, we may depend upon it there is no rampart so impregnable as the strong defence of virtue, no talisman so powerful as the charm of a dignified and consistent conduct. The shrine is safe, so long as the lamps that burn round it retain their original lustre.

But what are the dangers which are to result from admitting Catholics to a participation in civil privileges? The influence of the Pope. Now, although the Pope never has exerted that influence in times the most favourable for its exertion; and although he is at present little likely to exert it; let it be admitted that he may be induced to make the experiment; and let it be admitted, that in spite of the guards placed by this Bill, and by the additional regulations suggested by the right hon. gentleman (Mr. Canning,) he may be able to reach the mass of the people. Supposing that the agents of Rome upbraided the Irish with submission to a foreign yoke, represented to them the indignities to which their religion was exposed, and the triumphs of heresy and falsehood, and appealed to their feelings for a proof of their degraded condition. At what period do you think this appeal would be most powerful? When will these remonstrances have the greatest effect? Will it be when every word is sharpened with truth? when the peasant feels his own degradation and the superior privileges of his Protestant fellow-countrymen; when every thing around him, when his family, his children, his cot, the soil which he tills, the air which he breathes, confirm the sad history? or will it be, when he feels himself on a level with his brethren, when he can appreciate the value of civil rights, when the prospects of himself and his family irresistibly prompt him to loyalty and peace and order? Are hardships and deprivations, or comforts and enjoyments, the better preservatives against the danger apprehended by the learned doctor? —There may, indeed, exist another source of danger. I can conceive it, barely conceive it possible that in the course of time, a Catholic privy counsellor, having acquired high rank and reputation, and great personal influence with his sovereign, should form the project of employing that reputation and influence for the promotion of his religion. I can conceive it possible that the sovereign should yield to that influence, or lend himself from motives of mutual accommodation to the wishes of his servant, even at the risk of forfeiting his throne and his life. I say I can conceive this possible. But is it a possibility on which any man would act? and even if this were the case; the parliament would not forget its duty—and if parliament should slumber at its post; there is yet drawn up in reserve behind the parliament the whole nation, this Protestant nation enlightened and generous towards the Catholics, but heart and hand against Popery on the throne and at the altar. If however the nation could be sunk into supineness, there is yet the strong hold of the national church; there are the various sects of Christians scattered throughout this country, who would zealously unite in such a cause.

I might enlarge upon this part of the subject; but when we hear of danger let me ask—Is there no danger now? Are we now in such a state of halcyon tranquillity, that any change must be a change for the worse? Let the danger in the two cases be compared. In the one case the danger is distant, uncertain, highly improbable; and to be averted or repelled by the natural action of our political system, by the means which are already provided by the constitution. In the other case the danger is not remote, but immediate; not contingent but existing; and to be allayed and removed only by a course of patient and conciliating policy.

Nor in this estimate must we forget the antidotes which are involved in the very measure to which these dangers are attributed; the discontent which it soothes, the hatred which it softens, the consolation which it diffuses, the hopes which it wins over to our side, the prospects which plead in our behalf; the benevolence of a warm and susceptible people who are ready, in the ardour of gratitude, to forget that the hand which heals, is that which also gave the wound.

It has been strongly asserted that the Catholics themselves are dissatisfied with this Bill. I was happy to hear this assertion contradicted by the right hon. mover of the question, and by other gentlemen who possess means of authentic information. Unquestionably it would be delightful if this measure were followed throughout its progress by the unanimous acclamations of the Irish people. But what great measure can ever be universally and without exception popular? And if there be any local and temporary irritation either now existing or likely to exist, I do not see that this alters the nature of the question. The injuries and sufferings of Ireland are the same. The rights of our Catholic brethren, the great principles of government, the laws of nature remain the same. If indeed I could suspect that any such partial dissatisfactions could completely and for-ever defeat the benevolent objects of the Bill, I might hesitate; but this I cannot persuade myself to admit. Even if it should not immediately succeed in producing confidence and cordiality, these cannot fail to be its ultimate consequences. Do you think that after the passing of this Bill the Catholics will enter into a confederacy to abstain from the advantages which it offers? Will they refuse commissions in our army? Will they decline advancement in the military and civil professions beyond the line which they are now allowed to reach? Will they by a voluntary act continue that exclusion from this House of which they now complain? It is impossible; and it is equally impossible that a great improvement in the moral character of the people should not take place.—Let us therefore proceed in the course which we are pursuing, neither on the one hand startled by our own visionary fears, nor on the other discouraged by the unmerited disapprobation of those whom we are most anxious to conciliate. It is an act of national justice. It is an act of national atonement. Let us continue to repair the wrongs of our sister kingdom. I use the word 'continue'; and I am happy to say that amidst that long series of events to which I have before alluded, so dark on the one side, so brilliant on the other, there is at length one bright spot on which the fates of the two nations approach towards each other; on which we may meet and indulge in mutual congratulations. It was since the accession of his present Majesty that Ireland must date the commencement of her liberties; I am most anxious that they should be carried to their consummation during the same reign. No deeper homage can be offered a monarch whose virtues still live in our affections, than this solemn exercise of national charity. No prouder monument can be raised to the father of his people, than this memorial of parental tenderness and protection.

And, Sir, if at any time the considerations which I have taken the liberty of pressing upon the House (at too great length, as I fear, though received with an indulgence which calls for my deepest gratitude) but if at any time those considerations could be supposed entitled to any attention, this surely is the time. What a moment is it in which I address you!—The most odious tyranny that ever tormented the world seems shaking to its base. The cry of vengeance is every where heard. All Europe is rushing to the battle of freedom. Is it for us to linger in the rear, or assume our proper post, in the van of this great contest? But how can this be done, if we neglect to avail ourselves of every possible resource? There is this marked difference between our case and that of the rest of Europe.—With them this mighty struggle is yet but the struggle of yesterday. The spirit by which they are animated may vanish as suddenly as it rose.—The enthusiasm may subside, and leave them as it found them. With us it is not the trance of an hour, the extacy of the moment; with us this struggle is one of a series of contests; part of a protracted and systematic resistance. For us therefore there is no retreat. The bridge is cut off behind us. We must push the combat "to the utterance"—we must stand or fall with the liberties of human nature. Other nations may hope to escape by voluntary humiliation; they may purchase a comparative security by insignificance. They may be poor, and contemptible, and safe. For us there is no such alternative; for us there is no repose but in the lap of victory—no safety but in the triumphal car which drags at its wheels the violators of law and social order. Under such circumstances it is a consideration of tremendous import that the whole strength of the empire should be fully called forth; that we should be safe at home, in order the more effectually to lavish our energies abroad; that there should be no distrust, no misgivings; that there should be nothing to distract the national councils; nothing to sadden the national heart, nothing to cramp or enfeeble the national arm.—If we were told of the sudden accession of four millions to our population, should we not hail it as almost a visible interposition of Providence on our behalf? This is no imaginary supposition. The accession has been announced. This living fund of genius and virtue has been provided. This mine of richer ore than gold and silver has been opened; but we have refused to take advantage of it.

It was the boast of lord Chatham that he had sought for virtue among the mountains of Scotland, and that he had found it. Let us seek for valour and patriotism amidst the marshes of Ireland, and there we shall as surely find them. How many brave spirits are there in that country who weep in secret over this cruel exclusion! How many who pant only to be useful to their country; whose fondest prayer it is, that their genius may be tasked in her service, that their valour may bleed in her defence! Yet these are the men whom you reject from your bosom. These are the men whom you compel, because they cannot sink into indolence and obscurity, to find an asylum on foreign shores. There indeed they are welcomed with transport; there they are advanced to honors and high command. There they are valued as treasures of inestimable worth—treasures, in comparison of which the richest subsidy which we ever lavished on our allies is truly contemptible.—I believe it is a fact that there are at this moment in the Austrian service no less than 30 general officers, Irish Catholics, besides inferior officers through all the subordinate stages of promotion.—I do not envy our allies this acquisition; but I ask if this is a time when we can spare such men? Have we such a superabundance of talent and genius that we can afford to throw it away to be scrambled for amongst foreigners? It is a shame and a guilt to any country, which reduces its subjects to this sad alternative; which proclaims to them that in order to become heroes they must become either apostates or exiles. It is a misfortune also for those who are the victims of such a system. In the midst of the hard-earned honours with which they are surrounded, do you not believe, Sir, that there is something which embitters their prosperity; something which robs life of its value and glory of half its charms? Do you not imagine that in their retired thoughts they brood over the memory of the soil which gave them birth? Do you not imagine that in their secret societies they mingle regrets over the fate which tells them that they can never draw the sword in defence of their native land; that they may indeed in the field of honor die the death of the hero, but are forbidden by their country to die the death of the patriot? But why do I speak only of the Irish? There is another class of our fellow citizens, whose distinguished loyalty, whose dignified submission to the laws, whose many virtues have secured to them the applause and admiration of the whole empire—I mean the English Catholics.—Amongst this class of men there are those who are descended from a long line of illustrious ancestry; whose names are associated with the brightest periods of our history; who are clothed with honors and distinctions — distinctions bestowed by their native sovereigns, while yet it was allowed to distinguish merit in a Catholic; and honors conferred by a grateful people, before it was criminal in a Catholic to serve his country. The ancestors of these men built up those liberties from which they are now excluded. Their ancestors framed and established the two Houses of Parliament; the doors of those Houses are shut against the descendants!—What must be the feelings of him, who sprung from such a race, nourished by a virtuous and generous education, warmed by the remembrance of his forefathers, and burning only to emulate their renown and tread in the steps of their patriotism, finds himself crossed in the very threshold of his career, by the evil genius of the Catholic code? He is at once thrown back into insignificance. He must tear from his bosom those yearnings after glory; he must renounce his hopes and abandon his recollections; and after having fulfilled his joyless destiny in the shade, he must console himself with the prospect of transmitting the same ignoble inheritance to his children.—What must be the feelings of a father, who having a son so gifted and so inspired, formed to be the ornament and support of his country, feels at the same time that these talents and promises must be blasted, that he must waste the bloom of his youth and the vigor of his manhood in obscurity and indolence!—I conjure the House to place themselves for a moment in the situation of these men; to realise the emotions with which they are oppressed. I implore them to listen to the voice of nature, which, in this instance at least, is the voice of policy; and to abandon a system so pregnant with private sorrow and public calamity. As it often happens that unwise measures produce pernicious consequences which have not been foreseen, so in this wise and salutary measure, may perhaps be involved blessings of which we cannot now conjecture the extent or the importance. I know not if it be a visionary prospect which some wise and good men have loved to contemplate, that a period might arrive in which by mutual concession and conciliation, by the sacrifice of prejudice on the one side and of error on the other, the Catholic and Reformed Churches might approach to something of an amicable intercourse and alliance. I do not know if there be any symptoms of such an issue in the present state of things; but it is a pleasing dream, even if it be not prophetic; and it is not only pleasing, but useful, because it tends to realize the prospect which it pourtrays.—It tends to soothe and conciliate; to lead us from the points on which we differ to those on which we agree; to draw us from the scene of contest, strewed with the memorials of many a struggle, to that hallowed ground on which our common faith and common hopes may grow up and flourish together. If such a disposition animated any considerable portion of Christendom, how soon might religious differences be reconciled; and that spirit of gentleness be revived which should breathe peace and concord over the troubled elements. Let us at least do our part towards this great result. Let us show how much of good will and of forbearance there is in our religion and our policy. Then indeed we might boast of our constitution. Then we might present it to the admiration of the world as a constitution which combines within itself the soundest principles of vitality and happiness; which to all that is great adds all that is amiable; which, without sacrificing important interests or confounding essential differences, is anxious only to soothe and unite; which, preferring its own form of faith and discipline, and preferring it, because believing it to be the noblest, and the purest, and the best, is yet armed with no bigotry nor envenomed by any malignant partialities; which founding its religion upon truth, yet recognizes the maxim, that truth is inseparable from charity; as a constitution, in a word, which proves with how much facility and mutual advantage, different modifications of faith, so long as they revolve round one common centre of Christianity, may perform their various movements, may contribute to the general order, and thus furnish an example of that harmony which modulates the universe! Of such a constitution, we might hope that it would not soon decay. By incorporating the kinder emotions into its essence, it would imbibe something of celestial origin, and be gifted with the virtue of immortality. For if the fabrics which are reared of the ordinary materials of vulgar policy, be found so frail and perishable; it is because they are built on the angry and mutable passions; on narrow expedients, on base and ever-shifting jealousies; but such a system as it is now in our power to accomplish, rests upon principles the deepest and most permanent; upon passions which can never be torn from our nature.—It is composed of materials which borrow strength and brightness from the affections of every coming age. Ever purified and renovated by that living spirit of benevolence, it may defy the influence of time and caprice; it must be durable as the feelings on which it is founded, and unfading as that holy name of charity with which it is inscribed.

Sir *Frederic Flood* animadverted on the observations of Dr. Duigenan, whose various appointments and consequent obligations to some of the Protestant clergy of Ireland the hon. baronet detailed, observing that it was by no means honourable to his constituents that this itinerant vicar-general had played such a part in that House. From Dr. Duigenan the hon. baronet proceeded to the speech of sir John Cox Hippisley, which he characterized as the most multifarious, complicated, circuitous oration he had ever heard; and he regarded it as a proof of the hon. baronet's inconsistency, which inconsistency he endeavoured to illustrate by referring to the productions which the hon. baronet had alluded to.

He commented upon former productions of Dr. Duigenan, which he said were totally at variance with the language which the learned doctor held this night. The hon. baronet particularly quoted a passage from a pamphlet of the learned doctor published pending the discussions upon the Union in Ireland, in which the learned doctor maintained this proposition, "that after the enactment of the Union, all necessity for restrictive laws upon the Catholic body would cease." But how different, or how directly opposite, was the tone of the learned doctor in this debate! Whence this change? Did the learned doctor mean to operate upon the Catholics by delusion in one instance, while he meant to visit them with penalties perpetually? Here the hon. baronet took a view of the services rendered to the empire by Catholics, particularly in the army and navy, and dwelt upon the advantage and honour likely to result to every department of the state, and especially in the law department, if adequate encouragement were held out for the cultivation of Catholic talents.—For instance, he would ask, whether, if lord Avonmore, and that unrivalled orator, Mr. Curran, had been born Catholics, Ireland could have ever been benefited or adorned by their great and splendid abilities?—After further illustrating this point, the hon. baronet ridiculed the apprehension, that any danger could result to the church establishment from any number of Catholics ever likely to be introduced into the legislature by the adoption of the proposed Bill, whatever the disposition of that number might be towards the church, while opposed by an immense majority of Protestants; for what could 100 members, which was the utmost number of Catholics ever mentioned, even by the most prejudiced conjecture, contrive to accomplish against upwards of 500 Protestants? The honourable baronet again returned to Dr. Duigenan, whose conduct upon this question he declared to excite his astonishment, not only on former occasions, but particularly on the present, when the learned doctor ventured to assert, that the oath of a Catholic was not to be relied upon. What! exclaimed the hon. bart. was it to be maintained, that while the life or property of any man in the land might be taken away according to law, upon the oath of a Catholic,—that while all the privileges of the constitution were open to any Catholic who would take particular oaths,—still that the oath of a Catholic was not to be relied upon? The assertion of such a doctrine was, he maintained, not only unfounded and unjust, but completely absurd. But the language of the learned doctor had been generally most unjust and offensive towards the Catholic body, and such conduct on his part was at once surprising and ungenerous, for he had been 17 years embracing a Catholic, and yet he would perpetuate restrictions upon that body of men from among whom he had chosen a wife, as a sample. After panegyrizing the character and conduct of the Irish people, the hon. baronet expressed his conviction that no one in this country was prejudiced against that people but through ignorance; for those among them who had known the Irish felt no prejudice, and he heartily wished that half the English people would go to Ireland where they would have an opportunity of seeing how much his countrymen had been misrepresented. [Here the call for the question, which had often interrupted sir Frederick in the course of his speech, became so loud and general, that he felt it necessary to take his seat.]

Lord *Castlereagh* said, that although he meant to vote for the second reading of this Bill—although he thought proper to vote against the committee proposed on a former evening—although the committee on the Bill might be deemed the proper place for urging the sentiments which he had to offer, he yet found it necessary at this period, to state somewhat in detail, the grounds upon which he differed in some points from the framer of the Bill. He trusted the indulgence of the House might be extended towards him, whilst he took a general view of those points in which he should cordially concur with the right hon. gent. (Mr. Grattan), as well as those in which he could not so entirely acquiesce. As to the principle and expediency of a measure of this nature, he concurred fully with his hon. friend on the lower bench (Mr. Grant), to whose glowing and impressive eloquence, in support of that expediency, it was unnecessary to offer any addition. He perfectly concurred also with the proposition, that where men were agreed upon a principle, the mere details might be easily arranged. He should now, therefore, submit his views in this stage, rather than the committee, that such explanations might be made as might lead to an accommodation between himself and those persons to whom this Bill appeared in the same important and necessary point of view. He was most anxious to come forward thus early in the debate, with a view, and in the hope, of securing some satisfactory explanation, of making some approach to a fair understanding, on points with regard to which he could not but feel considerable difficulty, and those points were, in his mind, of fundamental importance; and he was the more anxious to observe upon these points, in this stage of the debate, lest he should be precluded from availing himself of any future opportunity, by the variety of official duties to which he had to attend. Perhaps it was from a consideration of those duties that the gentlemen of the committee by whom the Bill was prepared, had not referred to him—but had that reference taken place, he should have stated his opinions as explicitly as he meant to do this night. He approved of the discretion and delicacy of the framers of the Bill, and thought they had done their duty in not referring to him in the first instance. Anxious as he was to give all the assistance in his power to this momentous measure, yet from difference of political views any intercourse between himself and those gentlemen might not have been useful. He was, however, disposed to prefer the communication of his opinions to that House, and it would be for the House, but particularly for those that thought with him as to the principle of the measure under consideration, to decide what degree of attention was due to those opinions, whether any of his suggestions ought to be adopted. Upon all the points to which he had to refer he had no doubt of receiving the most candid exposition; and here he had no difficulty in saying, that considering the several interests that were to be reconciled, the various parties which were to be conciliated, the right hon. mover of the Bill had acted most discreetly in having abandoned his original view of moving at once for a general comprehensive repeal of all the penal laws, and proceeding, as was now proposed, in a measured manner, because such a comprehensive repeal, he for one, and many who thought with him upon the principle, could not approve, tending, as it must, to alarm the country, if brought forward, unaccompanied by the guards necessary for the security of the church establishment. It was difficult to approach the existing laws on great fundamental points of the constitution, with a view of repealing them simply. The wisest course was to see what the Catholics could be indulged in, notwithstanding any reproaches that might be cast on such a mode of legislation. Whatever course then might be pursued, whatever opinions might be entertained as to this measure, the right hon. gentleman had indisputably adopted a wise precaution, and proceeded in a more prudent and constitutional manner than was originally proposed. Instead of insisting upon the universal application of his principle, the right hon. gentleman had conceded where concession was required, proper, and necessary, and in that line of proceeding which must have additional influence with the House in favour of the Bill, the right hon. gentleman had followed the policy of the legislature at other times. For, according to the 5th of Elizabeth, enacting the oath of supremacy, the principle of the Act was not applied to the Catholic peerage, who were exempted from the provisions because their allegiance was not doubted. He, therefore, approved of the discretion and judgment shewn in the present Bill. As to the policy of it, he should endeavour to state his views, distinguishing his difference of opinion from those of the framers. He expressed his entire concurrence with that right hon. gentleman as to the principle of the Bill, under proper securities, as he had before stated, and also that no securities for the church establishment should be required from the Catholics which, consistently with their religion, they could not notoriously grant—none, indeed, which any considerate, liberal Catholic could hesitate to grant for the satisfaction of his Protestant fellow-subjects. Now, by the Bill before the House, it was proposed to admit Catholics to a share in the legislature, to which proposition he was most ready to accede. It proceeded on the principle of granting all the powers of the constitution to Catholics, with security to our church and state. The right hon. mover felt it due to the church of England to secure it from all that might be prejudicial to it; and also to abstain from the interference of the Protestant state with the spirituals of the Catholic religion. But the very nature of the privileges to be conceded, and especially the legislative eligibility, might give a large share of authority, not merely in general interests, but particularly in the interests of the church as connected with the state. That most desirable part of the measure, the bringing Catholics into parliament, would give them that power: they ought, therefore, to be prepared to expect some regulations. It was ever to be recollected that this admission would invest the Catholics with great authority over our church establishment.—For it was impossible to divorce the two questions, or to draw a parallel line between the right of legislation, and a power to interfere with the church establishment. Thus the Bill proposed to grant to the Catholics a power to legislate for a Protestant establishment, while the legislature were to be utterly excluded from any similar interference with the Catholics, whose hierarchy were too jealous to allow any persons to interfere with their jurisdiction. He was ready to admit that the right hon. mover of the Bill had dealt fairly with the House by the oath he had proposed, which oath was certainly as much calculated as any oath could be to meet all the danger to be apprehended; and he begged to be distinctly understood as not objecting in the slightest degree to the efficacy of that oath from any reliance upon the oath of the Catholic; for in fact the Catholic's respect for that sacred obligation was the cause of his preclusion from the very privileges which he now sought to obtain.—But he disliked the principle, if it were urged as such, that oaths were in all cases a sufficient security, he must protest against it, not only with regard to the Catholics, but even were he to suppose Protestants concerned. He did not think the obligation of an oath wholly sufficient, although he was satisfied that the oaths of Catholics might be as much relied on as those of any other sect of Christians; and were he to admit that oaths would in any case be sufficient security, he would also allow that those already imposed were as strong as any that could be devised. But he objected to making an oath the sole ground of security between Catholic and Protestant, and as meeting all probable dangers: this shewed great poverty of legislation, and a want of knowledge of mankind; for society was not to be held together, crimes prevented, and the discharge of social and public duties enforced, by taking oaths, however honest, on the construction of the particular parties. Old honest prejudices must be consulted, and combined for the welfare of society. Out of the conflict of various interests must be found the security for all. By the combining of different interests against each other, the general result was brought out, which conduced to the general welfare. He allowed that no oaths could be more comprehensive than those provided; and that the small number of those who had already taken them, formed no objection, since even here Protestants who did not receive offices, did not qualify for them. The first oath was as much a security as an oath could be. The second oath to be proposed by a right hon. gentleman was fairly directed against all the dangers which his clauses were intended to meet. But he was of opinion, that besides oaths other regulations were necessary; and the right hon. gentleman (Mr. Grattan) was aware that this was always his opinion. When any set of men were to receive great advantages, they would be unwise to agitate the removal of the theoretical inconveniences, by which they might disturb the general temper, in seeming to extort that which they might, perhaps, gain easier at another time.

The course which the right hon. gentleman had followed in framing his Bill was a wise one; but he was disposed to think it unwise, or at least imprudent, to bring forward prominently, and to agitate a mere theoretical or imaginary grievance, instead of fixing the whole attention of the public on those which were felt and really practical. He alluded to the measure of last session with respect to the Dissenters, and he believed that even as a conciliatory measure, had it been brought in at an inopportune moment, it might have disturbed the harmony of the country, and the councils of state. Practical wisdom seemed to have been exceeded in one point. Nobody felt stronger than he did, the impropriety of any law entirely precluding Dissenters from holding offices; but he felt that there would be great reluctance to shake an ancient established law: and the Dissenters obtained relief by annual parliamentary suspension, which they might not get by other means; and they had been for a long time, without, as far as he knew, sustaining any inconvenience from the test laws. He was afraid the right hon. gentleman had gone a little farther than he ought to do in prudence, in wishing to re-agitate now the question concerning the repeal of the test laws generally. Those in force against Protestant dissenters, from the annual relaxation, could not be called a practical grievance, like the laws against the Catholics, and did not therefore so forcibly call for a repeal. A general repeal of them he would at all times consider a very serious and difficult question; and at present he thought it was imprudent to couple it with the repeal of the laws against the Catholics, or with any measures of concession to that body. The case of the Catholics did not precisely apply to the Dissenters: yet it might be called an anomaly to refuse the repeal of the tests to the Dissenters. It was of importance, therefore, to consider what might be the effect of the present proceedings. If the tests rested inconveniently on any portion of the King's subjects, he would encounter all the difficulties of a repeal; but he doubted the prudence of coupling it with this measure. In Ireland there was no test, but great numbers of Catholics;

in Scotland none, but very few Catholics. The annual relief from the test laws might still be afforded, and the omission of them now might avoid a question inconvenient in this country. [Something was said across the table.] If he was wrong in this view of the matter, he should be happy to be set right. The right hon. gentleman (Mr. Canning), in his proposed clauses, had fairly directed them towards two great fundamental dangers: that of foreign authority in spirituals, and that of such authority working, by means inconsistent with the constitution and security of this country. He differed a little from the right hon. gentleman, with respect to the securities required against the influence of a foreign jurisdiction. But as we meant to conciliate the Catholics, we ought to treat their religion with respect; nor ought we to require from them any securities that were inconsistent with the integrity of their religion. He never wished to give any currency or authority to the acts of a foreign power in this country, without some security or examination; but was always anxious for some guards or protection against the dangers to be apprehended from this source; and he was the more disposed to think such an opinion a just one, because he knew that it had been hitherto acted upon in all parts of Europe. But, at present, he was doubly anxious for such a safeguard, now that the Pope was so much under the influence and controul of the enemy. He never wished to claim, on the part of the crown, the direct nomination of the Catholic clergy; but he was anxious to limit the patronage of the See of Rome in this country. He was not bigotted to any former notions, but he wished, consistently with his duty, fairly to examine how far his principles were satisfied by means conducive to the welfare and support of the state. He did not argue now on details, but it must not be expected to him to concede principles which were affected by details. From time to time he had alluded to the means to be employed, and he wished to shew why he thought the proposed regulations would fall short of their object. He was always for making such provisions as would not wound the feelings of Catholics, nor attempt to compel them to disclosures contrary to their religion; but he always desired to guard against the currency of the acts of a foreign power in this country operating in the nature of laws. He admitted that this was attempted in one clause; but if the right hon. gentleman and himself meant the same thing, he did not despair of their coming to an understanding upon it. He would state his own measure. He had always professed that he did not mean to exclude the acts of the See of Rome, such as bulls and rescripts; but he looked at their natural influence on men's minds, and on their temporal interests, as calling on us, not in unfair jealousy, or hostile relations, to consider the practice of all other states, and of our own Catholic ancestors, who were jealous of the encroachments of the See of Rome. We ought to take our remedy within the scale on which all nations had taken their's against such encroachments. He was sure most Catholics were too wise and too patriotic, not to be aware of such jealousies formerly, and now also, when the Pope had ceased to be a free agent, and could no longer exercise forbearance towards this country; but had become, in fact, an instrument in the hand of our enemy. In what related to faith or discipline, or did not trench upon temporal matters, he agreed that it was not policy to interfere. As to controul over the appointment of high ecclesiastical officers, which was absolute in the Romish See, he was anxious not to claim any nomination, or any direct interference. How far the clauses did interfere, was another point. But he considered that the Catholic clergy ought not to be left in a situation, in which they had two separate interests,—arising from influence and duty; but that their interests should be made such as to reconcile their duties, both to their own country and to the See of Rome. This had been his anxious wish; and which he once thought was near its accomplishment at the period of the Union, when an arrangement was proposed for the clergy, satisfactory to them and to the state. He alluded to the communication which he made at that time to the Catholics, respecting a state provision for the body of their clergy. He was sanguine in this expectation, having received, as far as the then government could give him, authority to promise an arrangement to the clergy, both of the Catholics and the Dissenters in Ireland. On the eve of the Union he expected this, from the quality of the measure, as well as from his having been the channel of communication. After the measure had been frustrated at that period, he also hoped to see it carried into effect some time after. It was with this hope, and some such understanding, that he took a part in lord Sidmouth's administration. He had asked of lord Sidmouth's cabinet, whether these measures would be agreed to; and upon receiving an assurance that they would be so, and on that ground only, he consented to become a member of that cabinet. On communicating this to the Catholic clergy, they informed him that their disposition was not changed, (the papers on this subject might be found in the Secretary of State's office;) but that they thought it would be discreditable to them, and unbecoming their character, if they embraced a separate, exclusive advantage for themselves, while the Catholic laity were smarting under the disappointment of their expectations. The Catholic clergy, having thus declined becoming parties to such a regulation, though their bishops had before assented to it, the matter dropped, which but for this step would then have been carried into effect. This was his object in wishing for such a regulation, and not to divorce the Catholic clergy from those whom it was their duty to instruct and to guide. He thought it would be the least revolting measure to the Catholic mind; and that it would form, better than any dry authority, a counterbalance to the See of Rome. No security was better than such an independence in their own society, that foreign power was no object in their eyes. He knew no better mode of placing them above all suspicion in the eyes of the Protestants; or of enabling them with advantage to discharge their duties. He thought this of so much importance, that he was anxious to state it, and he hoped the right hon. gentleman would weigh it carefully. He thought the Catholics would not consider his views unreasonable, since he never dreamed of their doing more than the Presbyterians, whose church system was infinitely more republican, and therefore tending more to political inconvenience than a church purely monarchical like that of Rome, which seemed thereby more compatible with the genius of the constitution. Such had been his views and his hopes at that time; nor was he yet disposed to abandon either. From considering the state of the Presbyterian clergy in Ireland, he thought that the Catholics ought to be more disposed towards this measure. They were now endowed by the crown, and though nine years had elapsed since the measure, which gave the crown a negative upon their election, by withholding the endowment of their livings, still in all that time this negative had never been exercised. Why then should the Catholics apprehend worse effects from a similar power in the crown? Such a fact, at least, was no bad proof of the spirit in which the crown meant to exercise this power. He believed the crown had the power of refusing every Presbyterian minister, on grounds of disloyalty, even after the recommendation of the synod, with respect to his receiving the endowment, according to what was established in lord Hardwicke's administrations; but he believed no instance had yet occurred, of a refusal by government. This provision was, he believed, 100*l.* a year at the highest; the scale descending. The Catholics ought not to feel jealous of this measure, and alarm the public mind upon it. In no view ought they, unless they would refuse all connection with the state. If so, he understood them; but that would be different from their former disposition. He did not wish to extend this plan to all the various sects; but as it had been already done, the example ought to be followed with the Catholics, which would relieve Protestants from the fear of danger. He dwelt the longer on this topic, because he wished at present to have it adopted as much as ever, knowing, as he did, how much it would facilitate the execution of every other regulation. He knew, besides, very well, that the measure had been declined formerly by the Catholic prelates of Ireland, not because it was in any degree inconsistent with their religion, or any part of its discipline, but in order not to shock the prejudices of the Catholic laity, and the lower orders of their clergy.—As to a regulation in direct appointments to ecclesiastical functions, he did not think any law could be advantageously exercised. He was not prepared to say that a regulation respecting the loyalty of ecclesiastics, should merely exist in a declaration of loyalty to the crown. He must be allowed to express an opinion that the proposed commission created an authority inconsistent with the rights of the crown and the constitution: if he did not misconceive its tendency. He thought it would not answer its purpose; but if acted upon, would be worse than any system on more known and admitted principles. Although he approved of the principle of the right hon. gentleman's (Mr. Canning) clause, he could not give his approbation to the clause itself, as it seemed to create a power not recognized by the constitution of this country. He had other objections besides to this commission, so far as he was able to understand it from the right hon. gentleman's amendment.—The right hon. gentleman had, in his clause, guarded sufficiently against the power of the crown, by making the commissioners independent of it, and displaceable only by the Houses of Parliament. It was one of the best points of the English constitution, that the judges were removable only by parliament, and the more immediate superintendance of the crown was unnecessary, because they exercised their authority under the controul of public opinion, one of the most efficient checks known to our constitution. But a commissioner, under the clause he spoke of, would, while he was removable only by the crown, be abstracted from the efficient controul of publicity, and be vested with a secret and discretional authority. The evil to be apprehended from this was, not so much that the power would be abused, to the detriment of those subject to it, but that the commissioners as individuals, would feel a reluctance, in the absence of the necessary stimulus afforded by the eye of the public, to exercise the severe process vested in them, except in cases of such enormity as would be more effectually restrained by the constitutional modes of punishment. They could not always have the means of exercising a sound discretion. The five respectable noblemen could not always know what was dangerous, for it was impossible that they could have the whole question brought before them in all its circumstances, in the full shape in which the crown could view it. In referring all such matters to those respectable persons, senior peers in both countries, it would be felt that they might sometimes have imposed upon them, what they could not do without great hardship. As the Bill stood they would be called on not merely to give an opinion as to the qualifications of an individual, not for their authority respecting a person in an early stage, but at a late one, when the highest ecclesiastical appointment was taking place. With all his respect for the character and integrity of the noble lords who were, according to the right hon. gentleman's amendments, to be invested with the power of granting a testimonium to the Catholic bishops, he could not but think that such a measure would go to the creation of a tribunal unknown to the constitution. It would, in fact, confer the power of appointing bishops at the will and caprice of individuals, divested of all responsibility, and not amenable either to the crown or to parliament. It would be, to all intents and purposes, a permanent commission against the crown, without being subject to the control of public opinion, or of the authority of that House. The right hon. gentleman would accomplish his object much better by proceeding according to the plain, clear, and recognized principles of the constitution. He did not wish to quarrel in the sentiments he was called upon to express with the principle of security itself, but with the fact that the provision was not accompanied with due and requisite responsibility. He would certainly prefer the appointment of commissioners directly and openly by the crown, but the right hon. gentleman's mode was a secrecy against the crown, against the legislature, against all mankind. It tended to establish a new estate in the country highly dangerous, and to transfer from a foreign power to a power within ourselves a right of interference seriously detrimental to the Catholic body itself and to the constitution. To the proposed testimonium or certificate he should therefore decidedly object. The principle which the right hon. gentleman (Mr. Canning) had taken up, namely, to make the principal Catholics auxiliaries to the crown, was laudable; and it was only to the means of carrying it into execution that he had any objection. The principle of the right hon. gentleman would be better carried into effect in a more constitutional manner. He did not wish to bring before the public such parts of any religious establishment as it would be advisable to veil from the public eye; but in this case the secrecy was vested in an irresponsible body. The interests of the parties concerned would be better provided for by vesting in the crown more ample power over these commissioners, and in that case, secrecy could be made an auxiliary security against the crown, as it would only be dissolved by a special act. Those Catholics too, who might object to being put upon the commission as it stood at present, could not have such objections when called on by the crown to lend their aid. This would obviate the difficulties as to this measure, which, as it at present was proposed, gave to a body of men, within our own limits, an authority as capable of being abused as when exercised by a foreign power.—Another of the proposed clauses on which he wished to remark, was the second, by which the right hon. gentleman (Mr. Canning), if he understood him rightly, wished to protect the state from decrees of foreign powers being circulated as valid, even under the show of their being as to spiritual matters; at the same time without interfering in such a degree with the essentials of any church, as to forbid men to worship God after their own manner. The authoritative papers forwarded from the court of Rome were bulls, institutions, and rescripts. As to the first and second of these, there could be no difficulty in submitting them to the cognizance of the state, and causing them to bear on the face of them, when forwarded to the persons who were to be guided by them, something to notify that nothing was contained in them derogatory to the temporal authority of the state. He should wish that this examination should be performed by one of the dignitaries of the Catholic church duly responsible. The clause of the right hon. gentleman was not satisfactory, as under it only a copy of the paper would be submitted to examination. It was desirable that the paper should be inspected before it was suffered to be current, and rather the original than a copy. But the relaxation went one step further,—for, by taking an oath that nothing derogatory to his fealty was contained in it, a person was absolved from submitting even a copy of any paper to examination. The papers which issued from the Penitentiary at Rome were the only ones in which secrecy was at all necessary to be observed. These related not only to cases of penitence, but to marriage dispensations. On this subject, as on all others, the Catholics would perceive the expediency of inspiring confidence on the part of the Protestants, and could not wish to give a less perfect satisfaction, if a more perfect one could be given. The rescripts issued from the Penitentiary, could (besides the subject of marriage within the prohibited degrees) relate only to the more enormous crimes, such as murder and incest; for lesser offences could be expiated by penance, without applying to this office at Rome. It was not his wish that persons should be obliged to fix on themselves the ignominy which the knowledge of their having committed such crimes would occasion; but the ends of secrecy might be answered, and some security afforded to the state, by causing the rescripts to be submitted to some of the dignitaries of the Catholic church of these kingdoms. He had thus endeavoured to give some conception of his ideas in detail on the subject at this time, that at a future stage of the measure, an opportunity of coming prepared for the consideration of it might be given. As to the measure in general, he had, immediately after the Union, looked to the establishment of it as practicable, as individuals would then have come to the discussion unpledged to opinions concerning the policy of it; because objections antecedently existing against it were obviated, from the new shape which the empire had assumed from the union of the Catholics to a preponderant body of Protestants; and because that settlement was calculated to surmount many difficulties, to open new views, to enlarge the system of general policy, and to strengthen the means, and consolidate the prosperity of the empire. Although circumstances had prevented the accomplishment of it at that time, he had always anxiously looked forward to it; and if now accomplished, it would be accomplished under the most auspicious circumstances. One motive must animate them all—the idea that, in adopting any plan on the subject at this time, they would be open to no injurious suspicions;—nothing could stand between the interests of the empire on this question, and those great considerations of policy which should never be disregarded. No moment could present itself so auspicious for the common interests and common happiness of the country as the present. No Catholic could suppose that, at this time, we were induced to depart from any line which we had marked out to ourselves, by any feeling of timidity. There was no peculiar reason to induce the Catholics to believe that the legislature were called upon to act from unworthy motives, from the feelings of timidity, of fear, or the predominant apprehensions of danger. On the other hand the Protestants had every just ground for co-operating in the attainment of the measure. As legislators acting for the Catholics, as well as for the Protestants, they were bound to make every arrangement for the public security and the public good; to proceed in the great work by a suitable congeniality of sentiment; and to produce by their co-operation a diffusion of blessings incalculable in their influence upon the welfare of the empire at large. This consideration should lead them, so to manage their regulations, that their measures should carry with them the cordial joy of the Catholics; and that the Protestants should regard them not as a sacrifice, but as a consolidation of interests. He hoped, that though this measure had never entered into the political conflicts of his life, he had sufficiently shown that it was only from the conviction, that if pressed, it would not be carried. There was at a former period much reason to believe that there was in the Pope a mild and benevolent spirit of conciliation, ready to concur in the measures most proper to be adopted; and that there existed in the great body of the Catholics a disposition to run before the crown in just concession and conciliation. Although the same facility with respect to the head of the Catholic church did not now exist, the want of that could not constitute any obstacle, if the Catholics themselves were ready, as they had been, to adopt the best means of conciliation, and to conform to the best interests of the country. The plan which had been published by the hon. baronet had been agreed to by the Catholics, and though inculcated by the government was in fact the plan of the Catholics. This body had always shown a wish rather to meet the wishes of government (notwithstanding the conduct of some of those who had assumed the lead of it), and if it acted as was to be expected from its general principles, it would be entitled to the gratitude of Protestants. In the present circumstances of the Pope there could (he supposed) be no difficulty, for while that personage was under the authority of a foreign power, if the Catholics were satisfied with the measure, they might safely leave it to be approved by him at a future moment. The Pope was a prisoner in the power of an inveterate enemy; and therefore the friends of the Catholics, and the Catholics themselves, were bound to do their duty, without listening to the strange doctrines of some individuals. He wished to have it clearly understood that there could be no preclusion to their claims on account of the Pope's detention. If even there were, it would become the duty of the House to provide exclusively for the Catholics, and the safety of the country together. The only question before them was the mode of proceeding on a question of degrees; and he trusted most sincerely, that in the steps they had to take, no temporary indiscretions of individuals would be allowed to operate against the Catholic claims. It had been truly said, that there was no necessity for knowing the sentiments of the Pope; that they should legislate by their own act as to the civil securities of the state. As to bishops and priests they might be regulated by law, as there already existed regulations to which they must conform before they were allowed to preach. Though all this indeed might be claimed as right, yet from prudential motives, he should wish as a legislator, to know how measures enacted for the benefit of the Catholics, would be received by them? On this subject he had heard with pleasure the right hon. gentleman (Mr. Grattan), on a former night; nor had he (lord C.) been ever disposed to collect the sentiments of the Catholics from the effusions of a few factious persons in the height of political controversy. The sentiments, however indiscreet, injudicious, and unseasonable, which might be expressed against the opinion of the general body by any individuals, ought not to be considered as a criterion by which the legislature ought to measure and regulate its decisions. He could at no time, and under no circumstances, be induced to lend his sanction to such a doctrine. If it was asked why the Catholics had not marked with disapprobation these sentiments, he should answer, that it would have been contrary to all the rules of action in human beings, that they should have exposed themselves to the obloquy and sarcasms of the noisy part of their own body, in order to aid a measure, of the accomplishment of which they had no expectation. He hoped that the effect of this measure would be not only the introduction of Catholics into parliament, but into a fair proportion of the offices of the state. He would address himself, therefore, to the right hon. gentleman (Mr. Grattan), whether, as a friend to the Catholics, it were not better that such regulations should be introduced in the Bill as would tend to give the Catholics the confidence of the crown, than that the Bill should pass by feeble majorities, in which case the Catholics, excluded from office, would be arranged in hostility against the Protestants within, instead of without, the constitution. He thought, therefore, that the Catholics, for their own benefit, should submit to the regulations submitted to by their brethren in foreign states, and the other parts of our own dominions. He trusted that the right hon. gentleman, who was intrusted with the care of the Bill, would finally make such arrangements as should be found sufficient to guard against the chance of every danger, and to give to the Catholics every opportunity of enjoying the confidence of the crown, and the esteem of their fellow subjects. Of the Catholic clergy in Ireland, he could not speak too warmly; for he had witnessed, in times of peculiar peril and trying distress, the excellence of their conduct. He was desirous of uniting them with the state upon the same principles which allowed them to partake of honours and dignities in every Protestant country. It was his earnest wish to grant to them the confidence they possessed in Protestant states, where they had not opposed any obstacle, but had wisely lent themselves to the established policy of the country. These were the feelings he entertained, and upon which he wished the question to be understood and discussed, when the facilities with the head of the Catholic church existed. But if the auspicious moment in the Catholic mind now presented itself, and they were ready to take what was given in all Protestant states, unless indeed they declared they were different from all Catholics in all Protestant countries, from the Catholics in Canadá and Malta, he did not hesitate to say, that the results would be most beneficial to the common interests and happiness of the empire. With respect to the Protestants in this country, he was aware that there certainly did exist a considerable degree of reluctance to grant all the rights and privileges which were claimed; but he felt that the reluctance prevailed more among the lower than the higher classes, and that it was caused more by intemperance and misrepresentation, than by that conviction which ought to be the consequence of mature and unprejudiced deliberation. Yet, the question, he was happy to observe, had gained ground, and he, therefore, felt anxious to solve it in every way, and by every mode consistent with the safety of the state, and with all the views and ends suited to the spirit and practice of the constitution. He did not wish to consider it as a question of party, and having stated the general outline of his ideas upon it, he should reserve himself for a more detailed statement when they went into a committee. He conjured the right hon. gentleman, however, not to try to force the measure, but rather to exert his powers another way, and by conciliating the Protestants, claim a power in behalf of the Catholics which would greatly serve their cause. He was anxious that whatever change the measure might undergo, it should originate with those who had brought it forward. Having thus stated his sentiments, he again conjured the right hon. gentleman to obtain for the Catholic body the fullest acquiescence which could be given in the proposed measures upon the principles he had laid down, and he pledged himself that they should have his cordial concurrence and support. He concluded with expressing his confident hope, that the House would go into the committee, where the question might be fairly and minutely discussed, and such an arrangement made, as would give equal satisfaction to the Protestants and the Catholics by the best possible provisions of concession, conciliation, and security.

Mr. *Ponsonby* did not rise to enter at large upon the topics to which the noble lord had adverted; but to assure the noble lord, that both he and his friends felt every disposition to meet his lordship with the strongest feelings of conciliation. He would not presume to understand all the opinions delivered that night by the noble lord upon the subject before them.—Indeed, it would be difficult for any man to understand what might be the opinion of another upon a question involving, as appeared from the noble lord's speech, such a great variety of topics, without the most mature deliberation, and, consequently, nothing could be more presumptuous than to make any alteration in the Bill now before the House, as if authorized by the noble lord, where not only an approval, but a complete understanding of the noble lord was necessary.—It was fit that each man should express his opinion, and, when the House resolved into a committee, propose such alteration in the Bill as was agreeable to himself. He would submit, however, to the candour of the noble lord, whether it was not requiring rather too much of those who concurred in the general principle of the Bill, that they should bring forward any alteration, in the hope of meeting the ideas of the noble lord himself, without perfectly understanding to what those ideas pointed. All he could undertake to do, and he might say as much of his right hon. friend, was, to meet in a spirit of conciliatory feeling, any proposition the noble lord might make. They had formed an opinion upon which they had acted—if the noble lord had any alteration to propose, they were ready to listen to it, and to give it every fair consideration; to undertake more would be undertaking a great deal too much. The noble lord had agreed to the principle of the Bill, and had declared he would vote for the second reading—after this, for all further discussion, he apprehended the committee would be the proper place, and he should accordingly reserve what he had further to urge on the measure till that opportunity was afforded him.

Sir *J. C. Hippisley* rose under a loud cry of Question, and great interruptions, and was obliged, after waiting some time, to sit down.

Mr. *Ryder* then rose, but after waiting some time, was also obliged to sit down.

Mr. *Bathurst* then rose, and moved that the House do now adjourn.

The *Speaker* having, with difficulty, obtained a hearing, stated the question.

Lord *Castlereagh* said, that his right hon. friend had, he was confident, only moved the adjournment, in order to obtain a hearing for such gentlemen as wished to deliver their sentiments; and having obtained that object, he had no doubt he would immediately withdraw it.

Mr. *Bathurst* rose and said, that after the House had listened somewhat more than two hours to the noble lord, who had gone into details which had no connection with the question then before them, he certainly did hope they would hear his hon. friend, whose intention it was to speak to the question.

Mr. *Ryder* then rose, and asked if it were the wish of those who brought forward the measure that it should pass, in such a way as to give general satisfaction, would it, at all contribute to that desirable end, that those persons who did not entertain the same sentiments with the friends of the Bill, should not obtain a patient hearing? As he had before given his opinion upon the subject, he would not now take up the time of the House with stating over again the grounds upon which that opinion had been formed; but he could not help calling their attention to the Bill as it appeared before them. He was not to be considered as one of that class alluded to in the course of the debate, who did not consider the laws affecting the Catholics as an evil. He looked upon them to be a very great evil, but an evil, however, which he could not consent to remove without some security, and the difference between him, and the supporters of the Bill was, that he thought no securities could be devised; and every other individual, except the author of the Bill, thought that securities were necessary. (No, no, from the opposite side.) He understood gentlemen to say, that securities were necessary, and that a Bill should be introduced to discover what securities could be devised. If such were the case, he must remind the House of the situation in which they stood with respect to the Bill. When leave was given to the right hon. gentleman to bring in his Bill, it was the general sense of the House that some securities should be provided, and they were willing that a Bill should be brought in to discover whether any thing could be devised that would justify the removal of all the disabilities now affecting the Roman Catholics. But if they looked at the clauses of the Bill they would see that while it removed every disqualification no additional securities were provided. The Corporation and Test Act were to be annulled; Catholics were to be admitted into parliament and corporate magistracies; and all that was devised as a security was an oath merely made up of two other oaths as enacted by the statute of 1791 and the Irish Act of 1793. This, however, was no additional security; and yet, thus stood the Bill which they were now called upon to support. Perhaps it might not be exactly fair to connect in his view of the question the clauses proposed by his right hon. friend (Canning) and yet there could be little doubt, he apprehended, that the House, in coming to a vote, would have in its contemplation, those clauses so connected. He did not mean to go into them at any length, but, with respect to one of them, he would say thus much, that he would rather hazard all the dangers of direct foreign influence as it now existed, than sanction that clause which professed to obviate it. He could not conceive a more monstrous proposition. He could see nothing more mischievous than such a commission as that which his right hon. friend (Mr. Canning) proposed; a commission, it was true, to be appointed by the crown, but neither removable by the crown nor responsible for its conduct. Even if the commission were to consist of Protestants, he would have nearly the same objection to it. Such a species of *imperium in im-*

perio he had never before heard of in the British constitution; and whether it was to consist of Protestant peers or Protestant commoners, he should equally oppose it. No sufficient securities had been yet proposed, or seemed likely to be devised, after the great abilities that had been so long employed ineffectually for the purpose of discovering them.

Mr. *Peel* said, that notwithstanding the impatience of the House at that late hour, he trusted that, considering the situation which he had the honour to hold in the government of Ireland he should be indulged for a few minutes, while he stated his sentiments upon this most important question. He should rather have wished to reserve himself entirely for a more fit occasion when the Bill went into a committee; but he was, he confessed, very unwilling to let this Bill pass the second reading without entering his protest against it. He protested against the principle of this Bill, because it conferred on those who admitted an external jurisdiction, the right of legislating on all matters connected with the church of England; he protested against this Bill, because it was not conformable to the Resolution of the House, on which it professed to be founded; that resolution did certainly adopt the principle of concession to the Catholics, but it was concession connected with the strongest and most distinct securities for the established church. He wished to ask, where were these securities? The House, he should think, would not be satisfied with the promise of a member, however respectable, that some clauses, which were printed and circulated, should be hereafter added to the Bill, when they ought to have these important securities embodied and distinctly brought before them as a separate and at least co-equal subject for consideration. Upon a question of such vital importance, the securities ought to accompany the Bill itself. The principal ground, however, of his objection to the Bill was, as it affected the connection of the country with Ireland. One of the great difficulties which appeared to him to stand in the way of the proposed concession was the state of the population of Ireland. If the Protestants exceeded the Roman Catholics in number—if the population of the two countries were mixed up together, he should have much less objection. But it was impossible to look at the situation of Ireland, where the Roman Catholics so greatly preponderated in number, and where there were distinct interests, without feeling alarmed at the consequences of such unlimited concession. They could not close their eyes to the fact, that differences of religion existed there for a long time, and that they were now going to try the experiment whether these religions could be placed on the same footing. His noble friend had talked of providing for the clergy of the Roman Catholic church; but, if they were maintained at the expence of the state, how could the Protestant be called the established religion? What was an established religion? If he understood what it meant, it signified a religion, the teachers and professors of which possessed certain privileges, and were maintained by the state. If then the Catholic clergy were maintained by the state, (and under other circumstances, such a measure would be desirable) in what would the Protestant establishment consist, as contradistinguished from the Catholic. The only difference between the two religions in Ireland would then be, that a Roman Catholic could not be lord lieutenant. It should be recollected, that Ireland had a distinct hierarchy, that she had the same number of archbishops and bishops that there were in this country, and that she had 2,000 clergy; now, if by this Bill the two religions were equalized in Ireland, would not parliament soon be called to put the professors of both on the same footing? When parliament had declared, that there was no reason why one religion should have any preference over the other, was it to be supposed that the Catholics of Ireland would consent willingly to maintain the clergy of a religion not professed by more than one-fifth of the inhabitants of that country: how could they hope, when it was admitted that there were 4,000,000 of Catholics and only 800,000 Protestants, to maintain the Protant ascendancy? This was a point which, he thought, they ought well to consider. He would not detain the House much longer at this late hour, but was anxious to vindicate himself from the charge of inconsistency, which had been preferred by a right hon. gentleman (Mr. Canning) against those who opposed this Bill, because, though they disapproved of the principle of this measure, they had yet voted for the proposition of the hon. baronet (sir J. Hippisley). It was true, that last session he opposed the motion of the right hon. gentleman (Mr. Canning); the question then was, whether the House should resist the claims of the Catholics, or go into enquiry for the purpose of concession. The House adopted the motion, and after this there was surely no impropriety in trying to render the Bill as little obnoxious as possible, although they might fail in preventing its adoption. When, therefore, he, and those who thought with him, were driven from their strong hold, there was no inconsistency in their taking the next strongest that offered. Though they might have preferred resistance to enquiry, yet they might prefer enquiry to concession. He might differ with the hon. baronet as to the extent of enquiry which he wished to institute, but he thought the ground upon which he voted perfectly consistent with his vote of last session. That motion was not brought forward with the concurrence, or at the desire of the persons at that side of the House.—If it were their intention to oppose the Bill, they might have adopted another course. With regard to the Bill, it was in his mind premature. He did not think it could lead to final or conciliatory adjustment. It would have been a more decent mode of treating the numerous petitions laid upon the table, if such enquiry as the hon. baronet moved for had been made. He was the more inclined to object to this measure, because, even if it were passed, its professed object would not be obtained, for many grievances would still remain behind. There was nothing said in this Bill about the laws in existence respecting bequests of Roman Catholics for their schools and places of worship, nothing about the education of the Catholics. It was then absurd to represent this Bill as calculated to effect a final adjustment, because there were many laws existing upon our statute books, which must be repealed if this Bill should pass. He concluded with stating, that he would not trespass longer upon the House at that time, but that he would, at some future stage of the Bill, either in the committee or on bringing up the report, take the opportunity of stating his sentiments more at large.

Mr. *Wilberforce* observed, that no person, however long his experience in that House, could have devised a better way of getting rid of a question, than the motion of the right hon. baronet (Sir J. C. Hippisley,) and that nothing could be more opposite to the feelings of the House. He then made a few observations in reply to some parts of lord Castlereagh's speech. He thought the obscurity in which the noble lord had enveloped his opinions respecting some alterations or amendments, was placing those who concurred in the general principle of the Bill in a very distressing situation, and he hoped the noble lord would, if not in that House, yet in some other way, intimate what his view of the amendment was, that the House might understand what he wished. In voting for the second reading, he had no doubt the House would do so, with a pointed view of the Bill as brought in by the right hon. gentleman, and in connection with the clauses proposed by his right hon. friend (Mr. Canning).

Lord *Castlereagh* said, he was sorry that he had not made himself fully understood. He had been willing to assist in his private character in forwarding the measure, but he had not been called on; he felt no more difficulty in doing so now than he had before; he only wished that the amendment, which he thought necessary, might be brought forward by the friends of the measure, as it would be better received. He by no means intended to complain that he was not consulted on the formation of the Bill. It was natural to expect that those would be anxious to frame it according to their own distinct notions who had been more forward in promoting the general object.

Sir *J. C. Hippisley* very shortly adverted to some unparliamentary and unjust expressions made use of by the hon. gentleman who spoke last but one, and who had charged him with endeavouring to fritter away the Bill, and to compromise the rights of the Catholics. The hon. baronet was entering upon other topics, when he was interrupted by an almost universal cry of "question!"

General *Mathew* admitted that the language used by the late member for Yorkshire might be severe, but it was not unjust; he would repeat, that the hon. baronet had endeavoured, by every means within his power, under colour of friendship to the cause, to destroy the Bill, and to frustrate the well-grounded hopes of the Catholics.

Mr. *Canning* said he rose merely to apologise for not addressing the House in reply to some of the observations of the noble lord, but the remarks he had to make would more properly be stated in a future stage of the Bill. He was fully convinced, from the conduct of the noble lord, that he was a sincere, he might even say an ardent friend, to the measure before the House.

although differences might exist upon particular points. Of the noble lord's powerful assistance he should always be happy to avail himself; and he was perfectly ready, in or out of the House, to confer with the noble lord, and to compare their mutual opinions upon this important subject; where the noble lord was wrong, he was convinced no difficulty would be found in conceding the point, and where he (Mr. C.) was in error, he would be ever happy to acknowledge his mistake, and to adopt the better ideas of the noble lord. Some remarks that fell from the noble lord respecting the *Veto*, he did not comprehend, but speaking generally, he should think it right to exact from the Catholics every thing not absolutely inconsistent with the tenets of their religion: while, however, we professed to tolerate it, we must not wound it in the most vital part. With regard to a provision for the Roman Catholic clergy, he was not so fully convinced of its expediency as to justify him in originating and introducing any measure to that effect; and he thought that if such provision were necessary, the proposal would much more fitly come from the noble lord, as a member of his Majesty's government. He sat down, re-assuring the House of the cordiality and sincerity of the profession, that he should be at all times happy to unite with the noble lord in a mutual endeavour to render this Bill as perfect as possible.

The question was then loudly called for by all sides of the House. A division took place. The numbers were, For reading the Bill a second time on this day three months, 203; Against it, 245; Majority, 42.—The Bill was read a second time and committed for to-morrow.

HOUSE OF LORDS.

Friday, May 14.

STATE OF OUR FOREIGN RELATIONS.] Earl *Grey* said, before their lordships proceeded to the order of the day, he would endeavour to obtain some information from ministers upon points respecting which it was important and necessary the House should sooner or later obtain information. He had purposely abstained from making any inquiries respecting the measures of government, particularly with regard to their foreign connections, because his anxious wish was, that, under circumstances evidently so advantageous, either for a favourable negociation for peace, or for conducting the war with additional vigour and effect, should the enemy refuse a fair proposal for peace; with advantages so unexpected and so unhoped for, in consequence of the events of the last campaign, ministers should experience no difficulties, no embarrassments, in following up that line of conduct so obviously called for by circumstances; that they should have an opportunity of proceeding unfettered to negociation. But a period was now arrived at which he could no longer refrain from adverting to rumours which he had heard, and which were urged with no inconsiderable degree of confidence. He wished for no discussion of the subject at present; but to state that if one of these rumours with respect to inducements held out to a power whose assistance was sought for was in any degree founded, he must say it was one of the most iniquitous as well as the most injurious propositions he ever heard of, especially with a view to the consideration of future arrangements; in which light he must regard it as one of the most injurious propositions to the best interests of this country. That was not all; he understood there appeared in a paper before the other House, an account of the distribution of the last vote of credit; the advancement of a considerable sum on the part of this country to Sweden. He need not state to their lordships that parliament had a right to know for what purpose that money was so advanced. In former discussions on this subject, it was held, that unless particular circumstances could be pleaded, ministers were not justified in making such advances. It was incontrovertibly true, at least, that parliament should be informed of the purpose of such advances. These were points on which he thought ministers were called upon to afford information to parliament; and that it behoved them to take care not to commit the faith and honour of the country with such propositions, previously to parliament being informed upon the subject, respecting which it was also his wish to know if ministers shortly meant to make any regular communication.

The Earl of *Liverpool* assured the noble earl and the House, that nothing could give his Majesty's ministers greater satisfaction, than to be able consistently with their decided sense of public duty, to afford the desired explanation, or to state to parliament the principles upon which their advice to his royal highness the Prince

Regent was founded, in consequence of the events of the last campaign. He believed, however, the noble lord was aware that any discussion upon the subject could not be adequately entered on, without a full discloure of all its bearings and connections; which must evidently tend to embarrass the measures about to be adopted. In that view of the question, he should feel that he was not acting consistently with his public duty, if he made any answer to the particular questions of the noble earl at present, or entered into any further explanations. But he hoped the day was not far distant, when he should have an opportunity of stating, what the general state of the relations of the country were with respect to foreign powers, and the nature of the engagements subsisting with those powers. The noble earl knew there was a particular period of the session when such topics regularly came under consideration, and he did hope that until the arrival of that period, no explanation of the kind would be required. On that occasion they would be afforded; or if that should not be the case, sufficient grounds should be stated for the farther withholding them.

Earl *Grey* spoke in explanation, and observed, that the period to which the noble earl alluded appeared to be that when the vote of credit generally came to be proposed towards the end of a session. He was anxious, however, before the faith and honour of the country should be irrevocably committed to any engagement of the nature of that to which he alluded, that the House should be afforded an opportunity of judging of it upon its merits. At present he must state that he was by no means satisfied with the answer given. Some particular information should be given by ministers respecting rumours of such a nature. He had waited anxiously till the very opening of the campaign—a period when all the resources of the country ought to be applied to their proper objects; to know the principles, and the objects for which those resources were to be applied. One thing he thought clearly appeared, that ministers, though favoured by such a combination of circumstances, had not as yet made any attempt at negociation for a peace, or any adequate effort for a vigorous prosecution of hostilities.

NAVAL ADMINISTRATION.] The order of the day being read,

The Earl of *Darnley* said, he was aware, after the number of speeches which their lordships had heard, signalizing the successes of our arms, that he offered himself under disadvantageous circumstances, in finding himself compelled, from a sense of his public duty, to call their lordships' attention to our naval disasters. He had wished, that this discussion should have been brought forward when these disastrous events were fresh in the recollection of their lordships and of the public. That it was not so, was certainly not to be attributed to their lordships: he had postponed the motion in consequence of the inability of a noble marquis to attend, for the assistance of whose abilities upon this important question he was most anxious. Unfortunately, however, that noble marquis was still prevented from attending, by severe indisposition. It might have been hoped, that in the interval between his giving his notice and the bringing forward his motion, some naval triumph would have occurred, to compensate, in some measure, for the disasters that had unhappily befallen our arms: it could scarcely have been believed possible that any fresh disaster would have happened in addition to those already so severely felt. Yet in the course of the two months that had intervened, another misfortune, there was too much reason to fear, had occurred, attended with even more melancholy circumstances than the former disasters. He alluded to the action between his Majesty's sloop of war Peacock, and the United States' brig Hornet, of equal force. No official account of this unfortunate occurrence having arrived, he was willing to cling to the hope that it was unfounded; but the statement that had been given of the circumstances of the action in the American papers, left too much reason to fear that it was true. Under these circumstances, he had to claim that indulgence of their lordships, whilst he entered into a detail, which he felt the importance of the subject demanded. Whether the unfortunate war in which we were involved with the United States of America might have been avoided by conciliatory measures on our part, or by adopting a different line of policy to that pursued by his Majesty's government, he would not now discuss, although he thought that had his royal highness the Prince Regent, at the time of assuming the regency, been advised to take to his councils other persons than those ministers who had been employed, this war with America might have been avoided; yet there were several persons for whose opinion he had a high respect, who doubted whether the ruling party in the United States would not have forced on a war with this country, whatever measures this government might have adopted. He would put aside, therefore, all question as to the policy or impolicy of the war, but of this there could be no dispute, that with the known hostile disposition of the ruling party in America, and the determination of this government not to conciliate, it must have been foreseen that war could not fail to be the result. Ministers, therefore, must have been long aware, that war must, sooner or later, take place. It might be said that they had the Orders in Council in their hands, and that by repealing them they might prevent war, but it was a well known fact, that they had no intention whatever of repealing the Orders in Council—that these Orders were persisted in to the last moment with the same unconciliatory disposition towards America, and that when at length from other causes they repealed them, ministers put forth false promises, as the assigned reasons for the repeal. His lordship here read some extracts from the papers on the table, for the purpose of shewing that long before the war broke out, ministers were aware of the hostile feeling of the ruling party in the United States, and that so late as the 14th of June last year our Chargé d' Affaires there was insisting upon the necessity of continuing the Orders in Council, and the impossibility of repealing them, at the very time they were repealed here, and the intelligence of which repeal arrived in America on the 23d of June. It was, therefore, he contended, clearly established, that ministers must have been aware that war could not fail, at no distant period, to be the result of their measures, combined with the hostile feeling of the ruling party in the United States. This being the case, how were they prepared to meet it? With respect to Canada, the events which had happened there had greatly added to the reputation of our arms, already so deservedly high, but events which were entirely unexpected. The state of the force in Canada had been laid on the table, but the stations not being given, he could not ascertain with correctness its actual situation, but he believed that no reinforcement had been sent there at the time of the breaking out of the war. With regard to our naval force, how were we prepared? It appeared that in the months of April, May, June, and July last year, during a part of which period there must have been every expectation of the near approach of war, and during the latter part of which the war had actually commenced, there were, under admiral Sawyer, on the Halifax station (exclusive of smaller vessels) one ship of the line and five frigates. That such a force only should have been stationed there, when a timely reinforcement might have achieved the most important objects, he contended, loudly called for enquiry. He had the opinions of persons eminently qualified to give an opinion upon the subject, and who had a competent knowledge of the coast of America, that if a force of 5 ships of the line, 17 frigates, and an adequate number of smaller vessels, had been on the Halifax station at the time the war broke out, the whole coast of the United States might have been immediately blockaded. Had this been done, the American frigates in port must have remained there—those which had sailed must have been captured in their return—the American commerce would have been destroyed—their customs, upon which they relied for their revenue, would have failed, and with this succession of disasters, the ruling party in the United States would have been forced out of power, and by this time we should have had peace. He did not mean to say, that the ports in such an extensive coast as that of the United States could be hermetically sealed, but they might have been blockaded to every practical purpose, as he had just stated. The ports south of the Chesapeake would not admit vessels of large burden, and might be blockaded by small vessels; two ships of the line would be sufficient to blockade the Chesapeake. With respect to the harbour of Boston, he was aware that it could not be blockaded with safety during the whole year, but during the greater part of the year it certainly might. Surely, then, it might have been managed to have a force sufficient for an immediate and prompt blockade. It had been said on a former occasion, that a sufficient force could not be spared; but, surely, by sending to sea vessels which were now lying useless, and taking one ship from each of the blockading squadrons, which would not have been missed, a force might have been sent out to America, sufficient for the purposes of the blockade, the early resorting to which was so essential to a vigorous prosecution of the war, with a view to its early termination, and which might have prevented the disasters we now had to lament. It might be said, that the amount of the force on the Halifax station was equal to that of the American navy, and judging from what had formerly occurred, five of our frigates might be deemed equal to five of our enemy's frigates; but was the quality of our force in this instance equal to that with which it had to contend? Has it not, on the contrary, long since been a matter of notoriety, that the American frigates were greatly superior to ours in size and weight of metal? The Constitution, for instance, which had unhappily been so successful, was for a long period, some time since, on our own coast, sailing between Cowes and Spithead, and even in the Downs, and the lord warden of the Cinque Ports might, without the aid of his spy glass, have discovered her superior in size to any of our own frigates. At some of those times a noble lord, then at the head of the Admiralty, was with the lord warden, and strange it was, that those two noble lords should not have knocked their heads together, and hit upon some plan of building vessels of a similar construction. That such a plan should even have been matured with the certain prospect of a war with the United States, would have been nothing miraculous.

If, indeed, the war was inevitable (which his lordship was by no means inclined to admit) it was most extraordinary that government did not give immediate orders for the construction of such vessels as would be able to cope with our new antagonists. It would only be necessary to refer the House to a succession of dates to prove the almost criminal negligence of ministers, and these simple facts would speak more decisively and strongly, than any observations they might naturally occasion: those at the head of affairs in this country, had been as lukewarm and pusillanimous in prosecuting, as they had been rash and imprudent in commencing the war: they had treated with contempt the excellent advice of the poet,

> "Beware
> "Of entrance to a quarrel, but being in,
> "Bear it, that the opposer may beware of thee."

War was declared against Great Britain by the United States, on the 18th of June; the official intelligence of this fact reached government on the 30th of July, and notwithstanding the incalculable importance of this event, parliament was prorogued on that very day, and into the mouth of the Regent was put the following paragraph, referring to our relations with America:—"His Royal Highness has commanded us to assure you, that he views with sincere regret, the hostile measures which have been recently adopted by the government of the United States of America towards this country. His Royal Highness is nevertheless willing to hope, that the accustomed relations of peace and amity may yet be restored: but if his expectations in this respect should be disappointed by the conduct of the government of the United States, or by their perseverance in any unwarrantable pretensions, he will most fully rely on the support of every class of his Majesty's subjects in a contest, in which the honour of his Majesty's crown and the best interests of his dominions must be involved." Such was the language then held, and ministers were deeply responsible if they did not make every attempt, becoming the dignity of this nation, to produce a reconciliation. War then having been declared on the 18th of June, what was done by way of instant retaliation? Nothing; and it was not until the 13th of October that letters of marque and reprisal were issued; how the interval was employed the country required an explanation. Still, however, the same dilatory system was pursued, and more than two months elapsed before the Chesapeake and Delaware were declared to be blockaded, the notification being dated the 26th of December. It had been often remarked, that the cause of the success of the American navy against that of England, was to be attributed to the formation of their ships of war, built upon the keels of men of war of 74 guns, and carrying very heavy metal upon the upper deck; of this species the enemy possessed five frigates, which had already committed most alarming depredations, but although ministers were long ago made acquainted with this fact, they took no steps to place our shipping upon an equality, by giving them additional guns above decks, and the vessels upon a new construction, that were built expressly to cope with the American frigates, were not to be launched until October next. This fact might appear incredible to all but those who had been spectators of the constant inefficiency of the measures of administration. In pursuance of the very vigorous and decisive plan that had been observed since the commencement of hostilities on the 13th of March last, certain other ports of the United States were declared to be blockaded, but Rhode Island and Newport yet remained open, and in the latter, the American frigate, after the capture of the Macedonian, actually refitted. Was this the mode in which the affairs of Great Britain, at a crisis like the present, ought to be conducted?

It was some satisfaction to the noble lord, in the performance of the invidious task he had unwillingly undertaken, to reflect, that upon ministers only rested the heavy responsibility of the late disasters; of the officers and men who so gallantly, but unsuccessfully fought, nothing could be uttered but unqualified applause, but it was melancholy to recollect that efforts, which under other rulers might have raised the character of the British navy, even higher than the pinnacle of glory it had already attained, were unavailing: the losses we had sustained were owing to no diminution of the courage, skill and discipline of our sailors, and the names of captains Dacre and Lambert would be handed down to posterity with love and admiration. All that human nature could effect they accomplished, and a strict inquiry into the causes of their failure was not less due to the living than to the dead. His lordship then proceeded to advert to the circumstances of the capture of the Guerriere, Macedonian and Java frigates, and insisted that the latter, notwithstanding the returns upon the table, was insufficiently manned; not that she had not her full complement of hands, but that her crew consisted principally of young inexperienced men or boys: the marines, too, on board were raw troops that had been lately raised. He rejoiced that he had moved for and obtained the minutes of the court martial upon the Java, because they disclosed circumstances of importance to the character of captain Lambert, a man who united to all the hardy valour and fearless intrepidity of a sailor, all the finer domestic and endearing qualities that embalmed his memory in the hearts of his kindred, while it was not less cherished with grateful recollections by his countrymen. On a reference to the London Gazette it would be found that many of the circumstances attending the capture of all our frigates were similar; they were all crippled in their rigging, and dismasted early in the action, arising partly from the commanding height of the ships of the enemy, and partly from the greater weight of metal, while the shot from our smaller guns produced comparatively little effect upon the masts of our antagonists. To ascertain satisfactorily the causes of this superiority, was surely ground enough for inquiry. If it were urged that we had not seamen to man new frigates to contend with America, he would reply that many small vessels were now uselessly employed upon various stations, the crews of which might be turned over to our larger ships, to render themselves useful to their country, and to gratify the national ardour of sailors, who would otherwise be wasting their years in inglorious idleness. Let them be called forward to retrieve our injured character; let them renew our wonted triumphs, for if fit measures were pursued, the disasters we had recently witnessed, would only serve to heighten the lustre of our returning glory. For many years we had successfully opposed the gigantic disposition of Buonaparté: all the mighty power he derived from subjugated Europe, had been ineffectual against the untamable spirit of British seamen, of whom it might now be said,

——— Captique dolis, lacrymisque coacti,
Quos neque Tydides, nec Larissæus Achilles,
Non anni domuere decem, non mille carinæ!

His lordship begged next to direct the attention of the House to the mode in which the trade of this country had been left open to the depredations of the enemy; and here he must revert to the proposition with which he set out—that if proper measures had been early adopted, none of these calamities could have occurred; for the enemy's privateers and ships of war would have been confined within their ports, and the list of our captured vessels could not have been swelled to that enormous and melancholy extent that was now to be deplored. In the whole, from the returns it appeared that 382 of our valuable merchantmen had been captured, only 80 of which had been retaken. The main cause of these losses was the deficiency of force on the various stations, exclusive of those of Jamaica and the Leeward Islands, on the latter of which the national flag of the British empire had been lately known to float upon a vessel of less than forty ton burden. While ministers were thus negligent of our external commerce, they were not more vigilant in the protection and support of our domestic manufactures: American cotton, on a system of policy that could not be too severely reprobated, had, until lately, been allowed to be imported, to the great detriment of our own colonies, and to the great advantage of the territory of our enemies. To shew the great value set by the inhabitants of the United States upon licences granted by this government to import produce into Great Britain, his lordship read a letter from a merchant at New York, requesting his friend in London to procure for him at the expence of only a few guineas some licences which in the Republic sold for several hundred dollars each. In consequence of this communication, an alteration had been made in the system by the Board of Trade. Many other letters from Charlston and Norfolk concurred in representing American commerce as in a most flourishing condition, and talking of vast shipments of produce for the British market; this injury to ourselves and benefit to our enemies was a species of policy peculiar to his Majesty's present ministers: his lordship hoped that even they in time would be sensible of their mistake, and would alter their erroneous system before the remedy was too late to be effectual.

Another part of the subject of not less importance than those already noticed, and upon which detailed inquiries were absolutely necessary, was the management of our dock-yards, and the general system pursued with regard to the construction of our ships. Several men of war recently built, after a short voyage had been laid up as unfit for further service, in consequence of the badness of the materials. Of this kind were the Dublin, Royal Charlotte, and several others that might be named; these vessels had been formed of American oak (which some had declared contained in itself the principle of decay), in consequence of the difficulty of obtaining British timber. The inhabitants of the United States rejected it as unfit for use, and we were indeed reduced to a melancholy extremity, if we were compelled to employ what our enemies refused. All these were matters that demanded inquiry, as well indeed as the whole conduct of the Navy Board, which was principally distinguished for an obstinate adherence to old systems long exploded in every other country of Europe, and for a determined opposition to all kinds of improvement. It was a fact, that when ships were built upon foreign models they were only excellent as far as the original was adhered to, but the moment it was abandoned, all excellence was lost. His lordship complained that projectors did not receive due encouragement, and particularly alluded to a noble lord (Stanhope) who had made some important improvements in the construction of ships, and to a captain in the navy who had suggested a plan of preparing the oak, the effect of which would be, that a ship built of it would last double the time they usually were retained in commission. All ingenious individuals who proposed useful alterations ought to be allowed a fair trial, which he did not think was in every case afforded by the Navy Board.

Under all the circumstances, his lordship thought that a case loudly demanding investigation had been made out, and even if ministers could justify their conduct in every particular, and prove the converse of all the facts stated, still he was convinced that he had performed a useful task for the country, in enabling ministers to establish their vindication. If, however, they could not prove that they were not guilty of criminal negligence and unjustifiable delay in the prosecution of the war, he had accomplished a still greater benefit, since it would lead to a complete and most beneficial alteration of the system. It was almost unnecessary to detain the House by general remarks upon the vital importance of supporting the character and efficiency of our navy, the bulwark of Great Britain. Upon our navy had depended, and still would depend, the welfare, prosperity, and independence of the nation; to our navy we were indebted for the liberty and happiness we at present enjoyed; and had not our navy, some few years since, effectually resisted and overawed the tyrant of the continent, the fruitful plains of England might have been deluged with English blood, and we might have had to undergo all the hardships, to support all the struggles, and to resist all the enemies with whom Russia was now so gallantly contending. He trusted that the naval glory of Great Britain was not on its decline, although ministers appeared to exert themselves to the utmost to hasten its fall. The charm of invincibility had now been broken; its consecrated standard no longer floated victorious on the main. He felt that this motion would not be welcome to the other side of the House, nor would it be popular through the country. It was a revival of disasters which all were anxious to forget; and it was not without much reluctance that he introduced the subject, particularly when he recollected the general fate of motions originating in the side of the House he occupied, opposed as they were by so many peers whose votes were always singularly accordant with the wishes of government. He entreated such noble lords, notwithstanding they might always think the existing government in the right, and the present the best of all governments, because it was the present, to reflect upon the consequences of these repeated defeats and disgraces. Something must be radically bad in the system, and it became all honest men, who wished well to their country, to endeavour to ascertain the root of the evil, that the naval character of Great Britain might be re-established, and our security and happiness confirmed. His lordship apologized for having so long detained the House; and concluded by moving, "That a Select Committee be appointed to inquire into the circumstances of the war with the United States, and more particularly into the state, conduct and management of our naval affairs, as connected with it."

The motion having been seconded by earl Stanhope,

Lord *Melville* rose and said, that although the noble mover had assumed that he had shewn satisfactory grounds for his motion, he should, he trusted, shew that that noble earl was not warranted in entertaining any such opinion. The noble earl had begun by adverting to the cause of the war, and the state of our relations with the United States before hostilities had commenced. On this subject, it was not his intention to enter; we had been compelled by the Americans to go to war, and the grounds of that declaration was an independent question,—all that was on the present occasion to be considered, being in what manner the war had been conducted. There was one circumstance, however, connected with the declaration of war, on which it was necessary to say a few words. It would be a circumstance tending to criminate the administration of the country, if, while they were apprised that war was inevitable, they had not kept a sufficient force on the coast of the American States. For some time before he was concerned in the naval administration of the country, the government of the United States, he admitted, was in such a frame of mind, as ultimately led to the war. This, however, was not the general opinion, and it was at that time confidently asserted, that the revocation of the Orders in Council would have been sufficient to pacify America. In this hope they had been disappointed, but this, which was once rested upon as a sufficient ground for hostilities, had been taken away, and the cause of the war was reduced to the opposition made on the part of the Americans to those naval rights, on the integrity of which, our safety as a nation depends. A proposition of the noble earl, which he was obliged to protest against, was, that it was the duty of the government to have been always ready with a fleet sufficient to blockade all the ships of America. He admitted it to be the duty of the government, to keep there at all times, a sufficient force to keep in check the navy of America, and to protect the trade of his Majesty's subjects. But it was at the same time the duty of the government, as far as it was consistent with the security of the country, to curtail the naval force, and give all the efficiency possible to another branch of the service, of which the exertions were now of such eminent importance. The noble earl had said, that ships might have been subtracted from other quarters at the commencement of the war, and applied to the stations in question. But this could not be done unless it were supposed that the force on other stations had been more than sufficient, which was not the case. If we had subtracted our force the enemy would have subtracted theirs. At Toulon, a port alluded to by the noble mover, the enemy had been fitting out 20 ships of the line; and in many places the blockading force was less than the force blockaded. The season of the year, it might be also observed, at which the Americans, with a view to their own advantage, had declared war, was a time when all our vessels had been dispatched to their several stations, from whence they could not be speedily recalled. Now, under all these circumstances, had the events of the war been such as to warrant enquiry? The noble earl had said that the force on the American station at the commencement of the war was inadequate. The Americans did not think it so; for, before the declaration of the war they escaped from the Chesapeake, which was a port liable to be blockaded. They did not attempt to fight our squadron, but wished to go after the trading vessels; they went after the Jamaica squadron, but found it sufficiently guarded, and were chased by the British ships. They had never dared to attack the British squadron when united, but they took advantage of its having been dispersed. The Guerrière, which had but a few days before been in company with other ships, but being separated by a gale, was, after an action, of which the noble mover could not have spoken too highly, taken by a vessel of superior force. This might have happened whatever had been the force of the vessels. The noble mover had said, that it was possible to blockade completely the American ports. He (lord M.) had never met with any officer, high or low, who entertained any such opinion. He thought that what had passed within the last 20 years, would have been sufficient to disprove this proposition, since we had seen, notwithstanding the endeavours of our blockading squadrons, vessels taken on our very coasts. The noble mover had said, that it was the opinion of some lord of the Admiralty, that the ports of North America could be blockaded by five ships of the line and seventeen frigates. With this opinion no one could agree with him, and indeed, hermetically to seal the ports of North America was impossible. If the government had before the war sent, as it was now contended they ought to have done, a force sufficient to blockade the ports of America, while they were doing every thing consistent with national honour to accommodate the differences between this country, how eagerly would this circumstance have been laid hold of by the noble mover and his friends, as a symptom of hostile spirit.

As to what the noble mover had said respecting the ships which had been opposed to the Americans, he should observe, that because the crew of the Java were composed in a great degree of young men, this could not be adduced as a proof that there were not among them many experienced seamen. It was not to be contended, that we should alter the classes of ships in the British navy merely because there were three American vessels of unusual dimensions. If there was a subject on which all naval officers were agreed, it was in this—that it was improper to multiply the classes of vessels. It was far better to send out 74's on the station, than to set about building ships which would be fit only to cope with the American navy. As to the advice of the noble mover, to diminish the number of small vessels, it was a measure, in an opinion of the utility of which no experienced person would agree with that noble earl. At this time small craft were peculiarly in request to protect our trade from the privateers and other small vessels of the enemy. As to the assertion that the balance of captures since the declaration of war was in favour of the Americans, the fact was directly the reverse. On this part of the question a most satisfactory argument was to be deduced from the rates of insurance. The rate for ships convoyed was but one per cent. higher than it was a year ago. The number of this description of ships captured had been unusually few; it was not to be wondered at that of those which ran from their convoy some should be taken, or that when the convoy was dispersed by gales of wind, the enemy should sometimes pick up a few stragglers. It had been made a charge against the ministers, that the letters of marque and reprisal were not issued till October, although news of the war was received in July. But by this delay, which took place in order to know the reception of propositions of amity from the British government by the Americans, no detriment had been occasioned; for as soon as the news of the declaration of war reached this country, orders were issued to detain all American vessels, which produced all the effects which could be produced by letters of marque.

The noble mover had spoken also of the insufficiency of the land force in North America. It was not a very correct inference, that the land force was insufficient because the naval force was so, nor was the proof corroborated by looking to the events which had reflected the highest honor on the British arms. That force had not conquered the United States—it was not intended for conquest, it was intended for the defence of his Majesty's dominions there, and this object it had effected. It was not fair to infer that, because the blockade of the American ports was not notified in The London Gazette, that armed vessels could go out and in without danger. As to the loss of the Java, he should remark that the court martial which sat in consequence of the loss of that ship, would, if it had been attended with circumstances of neglect of any kind, have reported to that effect.

As to the construction of our vessels, we had been represented to be in a deplorable state, by the noble earl; men were said to be so wedded to old customs that no good could ever be effected. The truth was, that in the modelling of vessels the French and other nations were superior to us, but that in the execution we were as superior to them. In pursuance of a Report of the commissioners of revision, measures had been taken which would remedy the defect in the scientific part. The manner of building ships hastily, was in ordinary time ruinous, although when the enemy encreased their exertions by such means we were obliged, in order to meet them, to follow their example. The decay of some of our ships had been, he acknowledged, very rapid. The scheme for preventing it had been submitted to the judgment of those whose duty it was to enquire on the subject. On the subject of guns there were very different opinions among the officers of the navy. Some officers extolled heavy metal, while nine out of ten of the commanders would rather go to sea without guns of that kind. After remarking that the effects of the war were every moment felt more severely in America, the noble viscount concluded by saying, that on the ground of the facts he had stated, he should give his vote against the motion.

Earl *Stanhope* said, that the noble lord ought to have heard his speech before he gave this answer, as then he might have answered two speeches at the same time. He could tell him, however, that as for his speech, the noble lord would not be able to answer it, and he would entreat their lordships to depart from their usual rules, and allow the noble lord to speak a second time, if he thought he could answer him. Before he delivered any opinion of his own, as they were an assembly of landsmen, he should first give them the opinion of admiral Pasten, who had written on naval affairs, and had stated—"From what has been remarked on the general deficiency of data in naval architecture, it may be evident, that the present time is but the infancy of the art of navigation, and of defensive naval knowledge. A more mature period is certainly advancing; and when it shall arrive, whatever regards defence upon the water, will increase in importance, will bear down all opposition, and must be valued in proportion to the safety, wealth, or power, which it will bestow upon the maritime state that takes the lead in such improvements." He then proceeded to state his own experiments, and the causes which had turned his mind to the subject. He was educated under a man, whom he could never mention without feelings of the greatest veneration,—his father, who was one of the best mathematicians in the country. Knowing the great power of steam, which had been since made so available in our manufactures, he first tried experiments to move ships with it. In the course of those experiments, however, he found out how abominable and detestable the common construction of ships was. He then analysed the whole construction of a ship from the hull upwards. Without this analysis it was impossible to be a judge of the properties of a ship; and if to the greater number of naval officers, a mere model of a ship should be shown, and they were asked the properties, they could not tell: but if they had studied them with the pains he had taken, the answer would be easy. He then stated the result of the experiments which had been made of a ship built on his construction against the Racoon sloop of war, in which the captain of the Racoon reported, that his vessel, under jury-masts, beat the Racoon carrying a great deal of sail: that it worked and weathered well in a heavy sea. The Board of Naval Architecture had lately tried nearly 10,000 experiments on the construction of vessels, and upon alterations in the heads and sterns of them; but by some unaccountable obstinacy, the old construction was persevered in, in spite of demonstration. The vessel which he had built was 110 feet long, and about 200 tons burden. The naval men at first laughed at it, and said, it was only a harpoon to strike a whale with, but when it came to be tried, it outsailed the Racoon. It was a flat-bottomed vessel, and only drew seven or eight feet water. Now, if the French should build large vessels on this construction, they might do the most serious mischief to this country. They might bring vessels off the coasts of Lincolnshire and Essex, carrying metal equal to an 80 gun ship, and yet lying in such shallow water, that no vessel we have could attack them without being blown out of the water. These vessels might lie at such a distance from the coast as not to be attacked from the land, and to be unattackable by any vessels we have, and might cut up the coal trade from Newcastle and the whole of our coasting trade. If we had possessed vessels of this construction, then indeed would our enemy's coast have been vulnerable in every point, and he could never have ventured to send against Germany or Russia the large armies he had done.—There was another thing he should now mention. By a decree of the Rolls court, it was forbidden to cut what was called ornamental timber: that was the sort of timber which for its growth was the fittest for naval purposes. He was glad, however, that the lord chancellor appeared to be of a different opinion on that subject. By a report lately made of our navy, it appeared that nearly half of our large ships were either rotting or rotten. This was entirely owing to the fault of their construction. If our ships were built of wet timber, and that timber was not inclosed, it would season of itself, and this dry-rot would not come in it. It was the inclosing this timber from the air that made it rot; and it appeared on the return of our navy, that notwithstanding the expence of their construction, ships were generally serviceable, but for eight or nine years; whereas, if the timbers were not inclosed in such a manner as to make them rot, they might last for 50 or 60 years. He considered the sharp construction which they continued to build ships upon as the cause of their oversetting when they took the ground, and of the death of numbers of seamen. The persisting in this ignorant cause, he considered murder. The flat-bottomed construction of ships which he had submitted to experiment, had every advantage of the other, and would not upset in such a situation. He then adverted to the Chinese division of the interior of a ship, by which an injury to a plank, or a single leak, by no means endangered the vessel. He then mentioned a dispute he had the other day with an admiral—and he liked to dispute with admirals, for he was sure to find himself of the right side. They tried experiments between a model of his, and one that the admiral said was better; but upon the trial the admiral's was upset. He then asked him "How is your admiral-ship now?" The admiral, however, gave him a pretty good answer, and told him that his model was only fit to take to the House of Lords to teach the bishops naval architecture. He did not think that, however, a hopeless task. He felt so strong in his principles, that he could undertake to explain to them so clearly, that my lords the bishops should understand something of naval architecture.—Great danger to the navy might be apprehended from the schemes of Mr. Fulton. His lordship had heard from good authority, that when Mr. Fulton went to Paris, he had an interview with Buonaparté, who sat on a chair, and afterwards sat on a table, but when he had heard all the plan, he said he disapproved of it, and would not adopt such a mode of warfare. Fulton afterwards made an agreement with Mr. Pitt and lord Melville, for 40,000*l.* for the first French ship destroyed, and for the rest in proportion. He failed at Boulogne for various reasons; but he got 10,000*l.* for his experiments, and put 15,000*l.* in his pocket; and then went to America. Lord Stanhope then explained the construction of the torpedoes which Mr. Fulton had invented to apply to the bottom of a ship, for the purpose of blowing her up; one of which was regulated by clockwork; another, on a different principle, was called the porcupine torpedo. He had sent a copy of Fulton's pamphlet, published in America, to the Admiralty: and had stated the means of preventing the effect of those dreadful inventions; but he had heard of no steps taken to provide against them. He looked with alarm to the probability of their being used in our war with America. He thought he should have acted wrongly in not stating these matters to their lordships.

The Earl of *Galloway*, from the profession to which he belonged, felt himself called on to make a few observations to their lordships. The object of the American government was to give a vital blow to the prosperity of this country. He was willing to admit that his Majesty's government, by at first pursuing a system of conciliation, wished, if possible, to preserve relations of amity between the two countries; and he did not, therefore, think that the noble lords opposite were entitled to arraign a system of conduct so professedly congenial to their own declarations. Few of the peers then present had ever personally visited America. It had been his lot to do so; and a conviction was soon established in his mind, after visiting that country, that America would sacrifice her true interests, and even her honour, to her enmity against and jealousy of this country. This feeling had been always the same since the separation of the two countries. It was a fortunate circumstance, however, for us, that the loyalty of the neighbouring country of Canada had remained so distinguished. He was present in another House of Parliament, when it was predicted that Canada would imitate the conduct of the United States. The result, however, had shewn, that we had every thing to expect from Canadian loyalty.

He should wish now to confine himself to the subject of the naval war, a painful subject—painful from the loss of so many gallant men, but not painful from the loss of fame or tarnished valour. No man who was conversant with the relative powers of ships of war, would maintain that it was in any way practicable for one of our frigates to contend with a large American frigate. The limited number of vessels in the American navy, and the present state of their commercial navy, enabled them to fill their large frigates entirely with prime seamen. The immense demand of the navy of England had obliged government to restrict the standard number of able seamen to each ship, to the smallest number that it could possibly go with. In contrast to the American crew of prime seamen, we had but one-third of our crew of that class, and that third consisted of what were properly called able seamen, that is, able bodied men, equal to the different duties of a ship, but not prime seamen. The next class in our ships' crews consisted of ordinary seamen, able bodied men, but not brought regularly up to a sea-life. The third class consisted of positive landsmen.—This was the nature of a crew as equipped by the Admiralty order. From this was to be deducted all the different casualties—the sick—the men put on board prizes—boys—and the fictitious names for the creation of a fund for widows. Compare such a crew with the state of the American vessels, and it would be found utterly impossible for any of our frigates to perform more than what had been done. He wished next to contrast the frigates themselves. The Americans had not thought proper to build ships of the line, but immense frigates, containing a crew of 476 men. These large ships had the masts of ships of the line. It was well known to every seaman, that almost every thing depended on the stability of the masts and yards in an engagement. Their elevation was another cause of superiority. The British frigates looked like boats beside them. We ought to build ships of precisely the same form, because he wished to prove that the British navy was fully able to maintain its ancient superiority at sea; and to maintain the character of the navy was of far greater moment than all the calculations which could be entered into.

This led him to a subject of great importance, intimately connected with the security of the country. We were now waging our first war with America—for what? for the preservation of our seamen. It was not the first war that we should maintain for that cause alone, unless we looked more attentively into the state and condition of our seamen. Was the desertion of our seamen into the American navy owing to their versatile character? or might it not rather, in a great degree, be imputed to that unfortunate necessity of compulsion to which we were reduced, and still more perhaps to the inadequate remuneration of the greatest part of those whom we had compelled to enter our service. He could not agree that the point of pressing should be conceded, because on that, in his opinion, depended the very existence of our navy; but he would say, that all practicable remuneration ought to be afforded to a great part of that valiant class of men. A sufficient distinction was never made between those valuable individuals who were brought up to sea, called prime seamen, and the great mass of the crew. There were not a sufficiency of situations in a ship to remunerate that class of men. When wars were of short duration, the evil also was of short duration; but now we were engaged in a war of long duration, and which might be still protracted for a long period. To effect this object of reconciling the prime seamen was a great wish of a noble lord formerly at the head of the Admiralty, whose loss the navy deeply deplored—the late lord Melville; and he trusted that the present head of the Admiralty would not abandon what was all but matured by his father. Notwithstanding this might be attended with some expence, that expence was not equivalent to the great object of securing our seamen from America. The first object to be attended to was, the improvement of the situation of warrant officers. Those were officers of the greatest moment in a ship. There ought to be a much greater number of petty officers, and their remuneration ought also to be increased. When men were pressed, as boatswains, for instance, they were placed in a situation of heavy duty, which was not adequately rewarded. If they increased the situation they would then have the means of rewarding a valuable class of men. These were among the improvements suggested by lord Melville. There was another subject connected with this, and that was the providing means for the securing the service of an adequate number of prime seamen by proper remuneration.—Allusions had frequently, in the course of the evening, been made to the word 'blockade.' No term seemed to be less understood by their lordships than blockade. A port could not be blockaded when ships could not lie at anchor:—Brest, for instance, never could possibly be blockaded.

Lord *Melville*, in explanation, said, he had not contended that ships of the same class and description as those of the Americans ought not to be built: all that he had contended for was, that it would not have been a wise measure, looking forward to a war with America, to have any considerable number of our ships of that description. He had said also, that government had endeavoured, by every means in their power, to get a certain number of ships like the Americans, by cutting down ships of the line.

Earl *Grey* feared that there was too much reason to regret the inadequate construction of our ships of war. That there was ample room for amendment was known to every person who had, in the smallest degree, turned his attention to the subject. On our maritime greatness our very existence as a nation depended. It was deeply to be regretted that a matter of such essential and vital interest as the construction of our ships of war should be intrusted to men totally uneducated in those great principles of science, the knowledge of which were indispensibly necessary for it. He had heard from the noble lord (Melville)—and it was almost the only part of his speech which met with his approbation,—that plans had already been under consideration for improving the construction of our vessels. He hoped this account was true; but he could not help observing that the signs of amendment did not seem yet to be visible. In an order for the building of 20 sloops, for instance, of two vessels the shorter was considerably the widest.

Before he came to the question he would advert to one part of his noble friend's (earl Stanhope) speech, in which he had some concern—the sub-marine invention of Mr. Fulton. The contract with Mr. Fulton came under his consideration when at the head of the Admiralty, and he had effected a compromise with that gentleman, by which there was a considerable saving to the country. He should not have been influenced by any consideration of economy, if he had not been satisfied that the invention was not of the smallest utility. It was true, that a ship could be blown up by means of it, but then to effect this, such measures were necessary as could not possibly be applied to any enemy. It did not require all the science of his noble friend to prove that an application of powder, in a certain manner, below a ship, would blow it up. There was a well known receipt for catching a bird by putting salt on its tail; but the difficulty was to put the salt on the bird's tail. The difficulty here, also, was to place the powder under the bottom of the ship. He had afforded every means to Mr. Fulton, and to the person he himself recommended to carry his plan into execution. He confessed that he had such a dislike to this mode of warfare, that he had passed many uneasy nights at the idea of the plan being practicable. It was tried, however, under sir Samuel Hood, and one night was found too dark, another too rough, and from some cause or other it never could succeed. He entertained, therefore, no apprehension from the communication of this discovery to the Americans.

The noble lord, adverting to the speech of lord Galloway, observed that the motion was not meant for censure, but for inquiry; and from the events which had notoriously taken place—from the manner in which our commerce had been exposed and had suffered, in consequence of the injudicious distribution of our naval force, particularly in those quarters in which ministers should have been particularly forward in naval operations—he would appeal to the House, whether such inquiry was not due to justice and to the country? It was a mistake to suppose that the proposition of this inquiry could be intended to convey or imply, the slightest reflection upon the conduct or valour of the naval officers, or crews, belonging to the frigates which had been captured by the Americans; for none could be more ready to bear testimony to the valour of those officers and crews, than the advocates of the proposition. All that could be achieved by intrepidity and skill, had characterized our gallant countrymen, on this as on similar occasions, and there was, therefore, no complaint against them, whatever might apply to those ministers who had placed them in such a situation as to render their skill and intrepidity unavailing. Was there not then, under all the circumstances in the cases alluded to, sufficient grounds to excite in every rational mind a suspicion of neglect, and improvidence, on the part of our naval administration? and did not such suspicion justify a demand for inquiry? But the noble viscount at the head of the Admiralty had observed, that if ever so many British vessels had been placed on the American station, still American ships might escape from port, and through disparity of force overcome detached English frigates. Which escape, however, of American ships, would not have been so practicable, had adequate measures been taken in due time to blockade the American harbours. That the Chesapeake and Delaware, New York and Rhode Island, might have been blockaded, no one acquainted with those places would attempt to deny, and it was notorious that during the blockade of Toulon, for several months, only two ships had escaped. Why then, was not similar vigilance exhibited with respect to America, in order to protect our trade and our frigates; and why was not that vigilance put forth in the earliest season by those ministers, who ought to have been prepared for war with America, from their peculiar knowledge of the state of the negociation with the American government, and of the disposition of that government, but particularly in consistency with their declaration, that the American government was not to be conciliated? For so they repeatedly declared when proposing and supporting the Orders in Council, which they would not repeal until such evidence appeared of the mischievous operation of these Orders upon our own trade and people as was calculated to impress the Americans with a belief that the repeal was more owing to our own distress than to any spirit of conciliation towards them. But the noble viscount had expressed an opinion, that if ministers had taken such a vigorous measure of preparation as his noble friend who made the motion wished for, they would have been censured and disapproved of by his side of the House. For himself, however, and his noble friends, he could most confidently declare that the opinion was unfounded. Nothing could, indeed, be farther from their sentiments than to condemn on any occasion an adequate preparation for war, for such a state of preparation was the best policy of any government—'bellum in pace, pacem in bello para,' being an indisputable maxim.

The noble viscount was also in error in assuming that the objections felt against the naval conduct of the war applied only to America, and to the capture of the frigate alluded to; those objections extending to the West Indies, to Guiana, to the Brazils, and even to the South Seas. Jamaica was notoriously left so unprotected as to be in a state of blockade by American privateers. Indeed he was assured that a ship and cargo worth 60,000*l.* had been captured by an American vessel off that island, and had lain there two days, during which time no British ship of war appeared to rescue her. In the Windward and Leeward islands we had only 1,500 men for their protection, while the seas around swarmed with American privateers, defying and deriding the naval force of England. And with respect to Guiana, an application was made in vain for a convoy to escort our trade to England, without which convoy it was actually obliged to sail. But in Demarara, our commercial vessels, with one of our frigates, was really for some time blockaded by the Americans; nay, a British ship was actually cut out of the harbour by an American privateer. Then as to the Brazils, we had upon indisputable record, that an English vessel of war was positively challenged to contend with an American frigate; and in the South Seas we had lost several whalers. With these facts before the House, he would ask, whether there did not exist sufficient grounds for complaint and ample reasons for enquiry.

But to return to America; it appeared that notwithstanding the signal valour and conduct of our army, opposed to the force which attempted to invade Canada, there was still too much ground to accuse ministers of misconduct in that direction, for the Americans had been permitted to construct a naval force both upon Lake Superior and Lake Erie. Indeed, on one of those lakes the Americans had a frigate of 36 guns. The noble viscount had, however, stated, that from the amount and distribution of our naval force, it was impracticable to send a larger force to the stations alluded to than had been actually sent. But could the House be influenced by such a statement, considering that we had actually 1000 vessels of war in commission, of which 100 were ships of the line, while we had no naval power to contend against but those of France and America, which, combined, were comparatively insignificant. The noble viscount had, however, followed this statement—after asserting that our trade was not conceived to be in danger, as the rates of insurance had not advanced above one per cent since the commencement of the American war (which assertion he was assured, upon good authority, was quite unfounded)—by alleging, in rather a tone of boast, that if the whole American navy had dared to proceed to Halifax or Newfoundland, where a British squadron was to be met, that navy would have been completely destroyed. But, unfortunately for the noble viscount, the Americans did not think proper to make war according to his desire. They were too wise to follow the noble viscount's advice. But, in seriousness, what could be thought of the mind or conduct of a first lord of the Admiralty or of any director of the English navy, who, if a fleet had come out from Brest, and committed considerable depredations, should say in his defence—" Ay, to be sure, the fact is indisputable, but if the Brest fleet had presumed to come to Torbay, where I had stationed a fine British squadron, it would have been utterly extinguished." (A laugh, and hear!) What then was to be thought of the nature of the noble viscount's defence in this debate? After further urging this and the other points of his speech with considerable ingenuity and force, particularly dwelling upon the neglect of ministers to avail themselves of the proper opportunity by early exertion to bring the American government to sentiments of moderation, by convincing it of the perils of war, the noble earl concluded with an animated exhortation to the House, as it valued the essential interests and future security of the country, to institute the proposed enquiry.

The Earl of *Galloway*, in explanation, stated, that if the proposed enquiry did not imply a censure upon ministers, he would support it; but as that proposition appeared to him to convey a direct censure, he must oppose it.

Earl *Bathurst* observed, that the chief ground taken by the noble lords who supported the motion, was derived from the capture of three British frigates by three American frigates; and it was maintained that it ought to have been the duty of ministers to have foreseen the war—to have provided for every exigency. With respect to the commencement of the war, ministers did not think it wise and prudent to withdraw the ships of the line from the blockade of ports in one quarter, to employ them in the blockade of ports in another: and with regard to the capture of the three frigates, he would put it to the candour of the House, whether any certain arrangements could have been made to prevent these losses happening, as they had done, in very distant parts? One was taken off the Western Isles; another in the Brazils; and the third had been separated from a line of battle ship, when they were both on a cruize. There was in reality no foresight, no precaution, which could prevent such losses. It was objected to them that a war with America having been foreseen by his Majesty's ministers, they ought to have been provided for it: but though they foresaw that a war would at some time or other inevitably follow, they saw no reason why it should take place at that particular time. From the arrangements that had been just made, there was every reason to suppose the contrary; but the Americans, in fact, went to war on the unprincipled motive, that that was the most advantageous time in which they could go to war, and because they thought they should capture our fleets which were then setting sail from the West Indies. In this object, however, which was their primary motive for commencing the war, owing to the vigilance of government in sending vessels to the protection of our West India merchantmen, they had completely failed. With respect to what had been said of the raising the insurance on vessels, it was not generally true. Only two instances had been given of vessels which had been insured at a high rate, and this had arisen from other accidental circumstances, as in the case of the Bonne Citoyenne, which had been for a long time given over as lost. It would require ten ships of the line and an immense number of frigates to blockade the ports of America, and protect our trade along the whole line of coast in the manner proposed by the noble earl. This was not the principle on which government had acted, nor did they think it right to act on the principle of withdrawing their naval force from the blockade of an enemy with whom they were at war, for the blockade of one with whom they might some time or other be at war. The paper of the American government called for by the noble mover, he had not alluded to in the course of the debate, nor did he wonder at it, as he must have found that that paper contained a complete contradiction to a great part of his motion. Our naval losses were supposed to be entirely owing to negligence; our successes by land were attributed to good fortune. Thus the results of the campaign in Canada, which was a tissue of brilliant actions, were merely good fortune. The noble earl trusted that we should have the same good fortune this year that we had the last, and that the conquest of Canada, which the Americans had boasted they should accomplish in six weeks, would never take place.

Lord *Grenville* said, that the doctrine laid down by the noble earl (Galloway), that inquiry implied censure, would lead to the abdication of all the functions of parliament; for no inquiry could, in this case, be instituted, without incurring the guilt of condemning the parties unheard. The true principle had been stated by his noble friend, that they ought not to vote for inquiry on slight grounds, or without strong facts to support it. There were few men who regarded the war with America with feelings of deeper regret than he had always done, because there were few men who had the same opportunity of knowing the difficulty which we had to encounter in the contest, which his Majesty's ministers were just beginning to feel. He had, therefore, all along besought, intreated, conjured them to do justice to America in those points, in which we had done her injustice; not, indeed, to give up our own rights, but to place ourselves in a situation to vindicate those rights more effectually. He had, therefore, urged the rescinding the Orders in Council, that it might be seen what the true ground of the quarrel was. This was not the injustice of those Orders, but a determined hostility in the American government against this country. But though he thought that conciliatory measures ought to have been adopted, he did not think this a reason that we should not, at the same time, have put ourselves in a formidable posture of defence. This, however, the noble viscount (he thought very strangely, and contrary to all known maxims of policy) treated as a contradiction and an absurdity. The noble earl, who spoke last, had said that we knew the Americans would go to war, but how were we to know that they would go to war when they did. By two of the most obvious methods in the world. First, they had told us that they would, if certain terms were not complied with; and, secondly, for the reason assigned by the noble lord himself, that this was the best possible time for them to go to war in; when we had no disposable force on their coast, and our fleets were exposed unprotected to their depredations. But, it seemed, it was not from mere accident or negligence that our fleets were left thus defenceless at this critical juncture: no, it was because, according to the declaration of the noble viscount, it was the system and policy of the government to cripple the naval exertions and resources of the country, for the sake of schemes and projects which they were prosecuting, he knew not with what success, on the continent. This declaration called for inquiry more loudly than any thing else; it imputed a crime of a blacker dye than any charge which had been alleged against ministers. If our failures had arisen from inability, and all our resources had been exerted, but exerted in vain, this might have formed some excuse: but he did not expect to be told that our weakness, our imbecility, was the result of system and design, and a determined resolution on the part of government to cramp and cripple our navy, in a war like the present, in which the existence of the country was at stake. To be told this in the face of parliament must call aloud for inquiry, if noble lords had one drop of English blood remaining in their veins. Some adroitness had been shewn by ministers in the war in that House—the only war in which they shone—in ringing the changes on frigates taken or not taken. To be sure, if only one or two frigates had been taken by the enemy, it would have formed a narrow ground for inquiry; but when the capture of these frigates was the whole of what had been done—when all the advantages which had been gained were against us, this, undoubtedly, was a strong *primâ facie* evidence, was a sufficient ground for suspicion and inquiry. When we knew that the Americans were increasing their naval force, we ought to have increased ours. When we knew that our frigates were not able to meet theirs, we ought to have built a class of vessels equal to their frigates, and not have waited to be told this night, by the noble viscount, that he is now cutting down ships for this purpose, and preparing to go to war with America, after a year's hostilities. If we ought to build these vessels now we are at war, we ought to have done so before we went to war; if we were right in doing it now, nothing could palliate the enormity of our not having done it at a time when it might have prevented all that has since happened. At present there was no one action to redeem the disgrace we had suffered, nothing to look back to with satisfaction, but the gallantry of those men whose lives had been sacrificed to the improvidence and impolicy of ministers. He would only repeat, that the object of his noble friend's motion was not censure, but inquiry, and to afford ministers an opportunity of making a better defence of their conduct than they had done this night.

The Earl of *Liverpool* defended the conduct of his Majesty's ministers, and contended that they had provided, even before the declaration of war by America, such a naval force on the American stations, as could be reasonably expected from them, considering the great force which it was necessary for them to have in Europe to keep the northern powers in check, and to watch the French fleets which were ready to put to sea. He said that the military part of the war, which was reckoned as nothing, or merely the effect of chance, would be found to reflect the greatest credit on administration. As to the naval part of the campaign, he insisted that the probability of a war with America was less strong at the time it was declared, than at many anterior periods. The result of the examination respecting the Orders in Council afforded some hope of reconciliation, and their subsequent repeal was considered by those who professed to be acquainted with the American mind as a certain mean of ensuring peace. This being the case, the large fleet in the Scheldt, and the state of the North of Europe at that time, rendered it unadvisable to spare a greater force to act against America. Deeply as he regretted the loss of the frigates, no blame could attach to government: on every station in the American seas there was a much larger British force than there was American. This was the case in North America, at Jamaica, and the Leeward Islands. The American frigates had, unfortunately, met individually with forces inferior, and had captured them; but had the whole naval force been on the American station, such accidental disasters could not have been prevented. As to the loss of merchantmen, none had been lost except those who chose to run the risk of sailing without convoy.

The Earl of *Darnley* briefly replied, and their lordships divided, when there appeared, For the Motion—Present, 40, Proxies, 19—59. Against it—Present, 83, Proxies, 42—125. Majority against the Motion, 66.

List of the Lords present who voted in the Minority.

Kent
Sussex
Gloucester
Norfolk
Somerset
Argyll
Lansdowne
Stafford
Buckingham
Douglas
Derby
Albemarle
Cowper
Fitzwilliam
Hardwicke
Darlington
Spencer
Grosvenor
Fortescue
Rosslyn
Grey
St. John
Saye and Sele
Clifton (Darnley)
Boyle (Cork)
King
Ponsonby (Besboro')
Somers
Braybroke
Grenville
Dawnay (Downe)
Althorpe
Gwydir
Lilford
Erskine
Lauderdale
Percy
Charlemont
Stanhope
Ilchester

HOUSE OF COMMONS.

Friday, May 14.

PETITION FROM THE COTTON SPINNERS OF YORK RESPECTING THE COTTON TRADE.] Mr. Lascelles presented a Petition from the cotton spinners and manufacturers of cotton piece goods of the West Riding of York, setting forth,

"That the petitioners have been long engaged in the spinning of cotton wool, and the manufacture of cotton piece goods, which trades have been, for several years back, in a very depressed state for want of a demand for their goods, which were formerly articles of extensive exportation to different parts of the continent of Europe, but from various causes, that outlet has been greatly curtailed from the operation of what has been called the Continental System, and also from the establishment of spinning mills and manufactories on an extensive scale in different parts of the continent, which are likely to be materially increased in number if the measures proposed with respect to American cotton wool be carried into effect; and that the British manufacturers have many disadvantages to contend with, the high price of every species of labour, the existing duty on cotton wool, which together amount to an enormous bounty to the foreign spinners and manufacturers, who will obtain cotton wool from America at greatly reduced prices either at a peace, the abandonment of the blockade, or from some port not blockaded; and that the petitioners have endured the greatest distress for the last three or four years, so much so, that a great many mills that were formerly appropriated to cotton spinning in the said riding are now converted to other purposes, in consequence of the decay of the cotton trade; nor is the situation of the petitioners materially ameliorated notwithstanding the favourable change of politics in Europe; and that they have learned, that Petitions have been presented to the House in favour of a prohibition and other regulations on the importation of cotton wool, the growth of the United States of America, which measures, if adopted, will prove, in the opinion of the petitioners, the entire ruin of their trade; and praying, that the House will not adopt any measures which can assist the efforts of foreign nations to supplant the cotton manufacture of this country."

Ordered to lie on the table.

Irish Loan and New Taxes.] The House having resolved itself into a Committee of Ways and Means,

Mr. *William Fitzgerald*, Chancellor of the Exchequer for Ireland, said, the duty devolved upon him to state to the committee the terms on which the loan of two million for Ireland had recently been contracted for in that country; and, after he had executed that task, he should submit certain resolutions relative to the new taxes which he meant to propose. On the latter subject, he should not that evening go into detail. This, he thought, it would be more proper to do, when he laid before parliament a complete statement of the financial affairs of Ireland. With respect to the loan, he had to congratulate the House on the favourable terms on which it had been obtained. For every 100*l.* subscribed, the contractor would receive 100*l.* 3 per cents. 20*l.* 5 per cents. debentures, and 11*l.* 15*s.* Treasury bills. The interest to the contractor, on the sum so taken, would be 5*l.* 1*s.* 9*d.* making, with the charge of 1*l.* 4*s.* sinking fund, a total expense to the public of 6*l.* 5*s.* 9*d.* for every 100*l.* so subscribed—the amount of stock created, exclusive of Treasury bills, being 120*l.* At the same time, it was but fair to say, that the terms of the present loan were not altogether so favourable as those obtained by his right hon. friend (Mr. Wellesley Pole) in the year preceding. It was, however, to be taken into consideration, that that loan was only for 1,500,000*l.* the other half million having been supplied by a loan in Treasury bills; and, by a comparison with the rate at which money was obtained in Ireland, and with the loan of last year, he did not conceive any dissatisfaction would be felt at the terms on which the present was made. The expence incurred by the public, on the loan of last year, was 6*l.* 4*s.* per cent., on the present it was 6*l.* 5*s.* 9*d.*; making a difference of no more than 1*s.* 9*d.* per cent. It was important that the loan for Ireland should be raised in that country; and it was no light proof of the prosperity of her pecuniary affairs, to find that the loan was negociated at 6*l.* 5*s.* 9*d.* per cent. when the legal interest of money in Ireland was 6 per cent.

The right hon. gentleman observed, that in submitting certain Resolutions, for an increase of duties, to the committee, he thought it would be more convenient not to debate them now, but to act upon the understanding of a former evening, when he expressed his regret, that, from the peculiar circumstances in which the public creditor was placed, he could not postpone proposing those resolutions to the committee, although he was aware a most important subject was to be discussed that night. As he had no wish to put off that discussion, it would probably be considered more proper by those gentlemen who might desire to oppose any of his resolutions, to defer their objections till the Report was brought up. He proposed, in the measures which he had in view, to assimilate, in some degree, the revenues of both countries. Under all the circumstances, he did not think there was any man who did not conceive it to be desirable that such an assimilation should, as far as possible, be carried into effect. Every person must look forward to that period, when Ireland would, of necessity, be obliged to bear a greater burden than she did at present—and when the first financial object of the country must be, to assimilate the duties, on various articles, as nearly as circumstances would permit. If this plan were not pursued, some other expedient must of necessity be devised. His right hon. friend, the Chancellor of the Exchequer for England, had, on a recent occasion, adduced reasons, which convinced the House of the propriety of adding 25 per cent. to the custom duties. The arguments which he had made use of, applied, in a great degree, to Ireland, and therefore, he (Mr. Fitzgerald) proposed to place an additional tax of 25 per cent. on all goods, wares, and merchandise, imported into Ireland; with the exception of coffee, raw silk, salt, sugar, tea, tobacco, wines, and cotton wool. Several of these articles, which he should presently state, though excluded from the addition of 25 per cent. to the general custom duties, he intended to tax separately. Coffee, he proposed to raise to nearly the same standard as it was fixed at in Great Britain, by a duty of 1*d.* per lb. On tea, an additional duty of 3 per cent. The duty on tea, in Great Britain, was 96 per cent.; in Ireland, 93 per cent. The difference of duty, was allowed, he supposed, for the purpose of covering freight, insurance, and the expences of trans-shipment. Still, however, he proposed to equalize the duties, because the same expences were incurred in every port of England, to which teas were shipped, except that of London, without any such allowance being made, and consequently the increase of price fell upon the consumer. The same observation also applied to Scotland. On tobacco it was intended to lay an additional duty of 1½*d.* per lb. customs, and 4*d.* per lb. excise. The next article was foreign wines. The last addition to this article was made in 1810, when 18*l.* 18*s.* was imposed on French, and 12*l.* 12*s.* on Portugal wines. He was aware it might be urged, that a considerable diminution in the consumption was immediately consequent on this rise; and that, therefore, the increased duty having, in this instance, defeated its object, it would be useless to burden the article with a fresh impost. In his opinion, however, the former tax had only driven from the consumption of wines, persons of moderate circumstances; while those who had adhered to it, were individuals in a state of affluence, who would not be deterred from the enjoyment of this luxury. It was therefore proposed to add one third of the difference between the present existing duty on wines in Great Britain and Ireland, which would raise the duty to about 8*l.* 10*s.* on a hogshead of claret. This, he conceived, would be found by no means oppressive on the consumers, who no longer consisted of that class of persons who were formerly in the custom of drinking French wine—a luxury which was now entirely confined to persons of rank and fortune.—This was all he had to offer with respect to custom duties.

His next task would be, to propose certain resolutions for raising the rate of the excise duties. In the first place he intended to propose an additional duty of 5*s.* per bushel on malt. He knew it would be objected to this, that it would indirectly affect the Irish breweries. But he did not conceive this objection to be well-founded. The rise on a barrel of beer, in consequence of this addition, would be 11*s.* 6*d.*; on the gallon 4¼*d.*; and less than 1*d.* on the quart. By such a rise he did not think the Irish brewery was at all likely to suffer. His next resolution would be for the purpose of regulating the rate of postage in Ireland. He found that the defalcation in that source of revenue, after the addition made to the rate of postage, by the then Chancellor of the Exchequer, arose almost entirely from the opportunity, which persons residing in the metropolis possessed, of sending letters to the towns more immediately in their vicinity, by various conveyances, which were constantly passing. He should, therefore, propose to reduce the rates of postage to all towns near the capital. To those within 10 miles, the postage should be 2*d.*; and, to the distance of 50 miles, the postage to be lowered in the same proportion; but, beyond 50 miles, it was intended to propose a progressive increase.

The last point was an alteration of the Assessed Taxes, namely, an increased rate of duty on windows, male servants, horses, and carriages. In this country the rate of taxation commenced with a house having six windows; it was not intended, however, to adopt that principle, which might bear upon the lower orders of society; and, therefore, the scale would be allowed to begin, as it at present did, with houses containing seven windows. A house of that description at present paid 15*s.* 9*d.* which he proposed to raise to 17*s.* 6*d.* the rate in this country being 1*l.* The right hon. gentleman here entered into a statement of the difference between the present tax and the intended rise, on houses of different sizes, up to those containing 14 windows. The tax, he observed, became operative on the proprietor of a house of this description, who must be supposed capable of paying the tax without any difficulty. On fourteen windows, the tax was at present, 3*l.* 8*s.* 2*d*,; it was proposed to raise it to 4*l.* 4*s.*; in this country it was 6*l.* 16*s.* 6*d.* The average increase would be about 25 per cent. on the whole tax, but not falling on the houses of the lower orders, or bearing upon the poor. The calculation was favorable to those occupying houses containing from 7 to 14 windows; above that number the ratio was encreased.—Next was an alteration in the tax on male servants. In Ireland, the tax on a single servant, was 1*l.* 1*s.* in this country it was 2*l.* 0*s.* 8*d.*; a disparity for which he could see no good reason. In England, if a gentleman kept two servants, the tax was 3*l.* 2*s.* for each of them, while in Ireland it was 1*l.* 11*s.* 6*d.*; and this inequality was still more striking, when applied to three, four, or five servants. He should, therefore, propose to encrease the tax for one servant to 1*l.* 10*s.* and so on in a similar gradation, till the scale came to eleven servants, as was particularly stated in the resolution. He next came to the horse-tax:—In Ireland, the tax for a single horse was 15*s.*; here it was 2*l.* 17*s.* 6*d.* Those who kept two in Ireland, only paid 17*s.* 6*d.* for each, while in England there was a tax of 4*l.* 14*s.* 6*d.* on each. He proposed to raise the tax for one horse to 1*l.* 10*s.*; for two, 2*l.*; and so on in the same proportion.—The right hon. gentleman then adverted to the carriage tax; at present a single carriage was liable to a tax of 8*l.* 10*s.* which he proposed to raise to 10*l.* 10*s.* He could not account for the absurdity which pervaded the present mode of taxation on carriages, by which, the greater the number of carriages, kept by an individual, the lighter the tax became. Or, in other words, the more capable an individual was of keeping a number of carriages, the less he was asked to pay. Thus, if a gentleman kept but one carriage, he paid 8*l.* 10*s.*; but, if he was able to set up four, he was only charged 4*l.* 4*s.* for each. Such was the general import of what he had to propose; he should abstain from any detailed observations, which, with many other remarks, would come with more propriety, when he should have the honour of laying before the House a general financial plan with respect to Ireland. The right hon. gentleman concluded by moving the first resolution, relative to the Irish Loan.

Sir *J. Newport* rose and said, that in the objections he had to make, he did not mean to state them as applicable to the objects of the right hon. gentleman, considered as objects of taxation, but because he thought they would not answer his expectations at all. He was far from wishing captiously to thwart the endeavours of the right hon. gentleman; for he was sensible he must find great difficulties in raising the supplies necessary for the service of Ireland. He congratulated the House upon the terms upon which he had concluded the loan. The additional custom duties he should advert to when they entered into the details upon a future occasion. The proposed increase of duty upon tobacco, he doubted would not prove permanently productive. The additional duty upon wine he thought a most incorrigible error: every additional duty since 1804, had only produced the effect of diminishing the consumption; and now an encreased duty would only occasion an additional burden upon the consumer, without benefiting the revenue. The additional duty upon malt he thought still worse. It would produce a moral evil upon the country, by substituting the drinking of spirits for that of beer and ale. That part of the right hon. gentleman's plan he would candidly tell him he meant to oppose, and in every stage to take the sense of the House upon it. He objected also to the proposed alteration in the rates of postage, which, by being lowered to all places near the capital, and encreased to all at a distance from it, would only have the effect of burthening every commercial town, the correspondence of which was vital to the interests of the empire, and relieving other towns where the correspondence could only arise from caprice, pleasure, or friendship. He thought the measure contrary to every principle of sound policy. The right hon. baronet concluded with some remarks upon the proposed encrease of the Assessed Taxes, which he apprehended would only operate as a bounty upon persons to evade them with more ingenuity and success.

Mr. *William Fitzgerald* shortly defended the propriety of the taxes, on nearly the same grounds which he had laid down in his introductory speech.

Mr. *Tighe* said, that the protection last year given to the breweries, would be destroyed by the measure proposed by the right hon. gentleman. The brewery was a new trade, and this was not a time to oppress it, when the American market was closed against the beer of Ireland. The right hon. gentleman thought it would be no great harm, if the gentlemen of Ireland drank less wine. It certainly would not; but it would be a great evil if the revenues of that country were materially diminished. He had previously believed, that the Chancellor of the Irish Exchequer did not come into the House to protect the health and the morals of Ireland, but its revenues; the contrary, however, appeared to be the fact.

Mr. *Fitzgerald* explained. He confessed that he had no medical duties to perform, and neither in nor out of the House was he the conservator of the public health.

The House then resumed—and the Report was ordered to be brought up on Monday.

The Report of the Committee on Sugar, the produce of the conquered islands, was brought up.

The *Chancellor of the Exchequer* said, that as the extra duty of 12*s.* 6*d.* per cent. on clayed sugar was thought too high, he would therefore alter it to 10*s.* The Resolutions, as amended, were then agreed to, and a Bill was ordered to be brought in accordingly.

ROMAN CATHOLIC RELIEF BILL.] Mr. Grattan said, that it was his intention only to pass the Bill through the Committee *pro forma*, and then to postpone the further consideration of it till Monday. The Bill was accordingly committed, the Chairman reported progress, and asked leave to sit again on Monday.

HOUSE OF LORDS.

Monday, May 17.

The Earl of *Darnley* said a few words on the subject of the ventilation of the House, wishing that some measures might be adopted to avoid the recurrence of that excessive heat which was found so annoying during the debate on Friday evening.

The *Lord Chancellor* observed upon the dreadful inconvenience he suffered on Friday night, from the excessive heat of the House, and then adverting to another subject, called the attention of the House to the obstruction in Parliament-street, arising from the street being broken up by a water company. His lordship intimated that if the streets were not left in a proper state after being broken up by water companies, he should make some motion in the House so far as regarded the passages to the Houses of Parliament, and should recur to some other consideration with the view of taking care of the safety of all his Majesty's subjects.

CURATES' BILL.] The House proceeded to the consideration of the Report of the Curates' Bill, in which some verbal amendments were made, and the second clause struck out.—On the clause being read compelling the incumbents to reside,

Lord *Ellenborough* took the opportunity of expressing his surprise that no provision had been made for compelling curates, as well as rectors, to reside in the parish, to the cure of which they were appointed.

The *Lord Chancellor* concurred in this remark, and observed upon the general inefficacy of the laws to enforce the residence of the clergy.

Lord *Redesdale*, with much warmth, attacked the lower orders of the clergy, complaining of their residence far from their parishes, in market towns, for the sake of a game at cards; of their riding with indecent speed from church to church, and hurrying through the service with unbecoming levity: one instance he stated, where a farmer's wife had compelled the parson to return to his pulpit, because he had omitted several of the prayers. On the whole, he thought that the sacred duties were very imperfectly performed, and attributed the neglect to the inattention of the dignitaries of the church.

The Archbishop of *Canterbury* with considerable energy repelled this attack, and denied its general accuracy. He insisted that residence was far more general than formerly; that clergymen were more attentive to their functions, not merely in their churches, but throughout their parishes. In the particular instance referred to, the person who had so ill fulfilled his duties had been removed. He reprobated very severely these attacks upon the church, which could produce no benefit, and only increase the enemies of the establishment, already too numerous. Since the appointment to his see, he had never met with a more painful circumstance than the unjust charge which had been that night preferred.

The Bishop of *Bangor*, after fifty years experience, declared the accusation to be void of the slightest truth, and accused the noble lord of unwarrantably concealing the fact of the deprivation of the negligent curate to whom he had referred.

Several other reverend prelates vindicated the conduct of the superior and inferior clergy with considerable fervour. The various clauses of the Bill having been gone through, and many verbal amendments made at the suggestion of lords Ellenborough, Eldon, Harrowby, Grenville, &c. the Report was agreed to, and on the suggestion of lord Harrowby, it was ordered that the Bill should be engrossed, printed, and read a third time on Friday.

HOUSE OF COMMONS.

Monday, May 17.

Lord Minto's Answer to the Vote of Thanks for the Reduction of the Mauritius and Bourbon and of the Island of Java.] The Speaker acquainted the House, that he had received from the right hon. Gilbert lord Minto the following Letter, in return to the Thanks of this House, signified to him, in obedience to their commands of the 10th day of January 1812.

"Sir; *Fort William, 30th July* 1812.

"I have had the honour of receiving your letter of the 14th of January, communicating to me the Thanks of the House of Commons upon the occasion of the reduction of the islands of the Mauritius and Bourbon, and of the island of Java, as conveyed in the Resolution of the House of the 10th of January 1812.

"I should endeavour in vain to express, in adequate terms, my profound and grateful sense of the gracious and indulgent view taken by the House of the share which, in the situation I have the honour to fill, the course of public events afforded me the opportunity, or, I should rather say, rendered it a positive duty of my office to assume in those transactions.

"If I had neglected to improve the favourable occasions thus presented to me of accomplishing objects which appeared to myself, which by the declared sentiments and by the measures of his Majesty's ministers, I know to be esteemed by them, and which are now finally declared, by the authority of the House of Commons, to be important to the public interests, I should have incurred the just displeasure of the House, and should have merited the disgraceful reproach of shrinking from the hazards of personal responsibility, by a sacrifice of the public good.

"That the performance of duties, which it would have been deeply culpable to omit, should have been deemed worthy of the highest and most gratifying recompence which the world affords, I can ascribe only to the liberality with which the House, in its wisdom, seeks to stimulate exertion, by adding to the sense and obligation of duty, the animating hope of public approbation.

"These important services have been achieved, in truth, by ability, prudence, and enterprize in the commanders, and by bravery and discipline in the troops, which have never been surpassed. In the splendid and immortal actions which have signalized these conquests, and in the glory which justly crowns victorious valour and conduct, I have never sought any other participation than the privilege which my office afforded, of bearing to them a true, cordial, and zealous testimony.

"My own duties were indeed directed to the same object, but were of a nature wholly distinct; nor did I omit, for a moment, any means in my power to prevent the possibility of their being confounded in the public eye. I shall never reflect, without gratification and pride, on the genuine uninterrupted cordiality, and on the sound sincere spirit of co-operation which prevailed, from the first hour to the last, between the military authority and my own; but the utmost indulgence of those sentiments did not require that I should relax for a moment in the studied manifestation uniformly and anxiously displayed of the broad and sufficiently obvious distinction between the respective functions of the two.

"Yet, far as I am from preferring what would appear to myself at once a groundless and dishonourable, as it would certainly and justly prove a fruitless, claim to the slightest share in the military fame of these events, I will nevertheless rely so far on the goodness of the House as to avow that even the inestimable honour which I am now acknowledging is much enhanced, in my estimation, by enabling my name to descend to posterity in connection, a connection established by the proceedings of the House itself, with the illustrious conquerors of the French islands and of Java.

"I entreat you to lay my humble and grateful thanks before the House, for the high and eminent distinction it has been pleased to confer upon me.

"You will permit me, I hope, at the same time, to assure you, Sir, personally, of the lively sense I entertain of the gratifying and obliging terms in which you have done me the honour of communicating to me the Resolution of the House. I have the honour to be, &c. MINTO."

"To the right hon. Charles Abbot."

PETITION FROM THE FELMONGERS OF BERMONDSEY RESPECTING APPRENTICES.] A Petition of several persons now carrying on the trade of felmongers in the parish of Saint Mary Magdalen, Bermondsey, in the county of Surrey, was presented and read; setting forth,

"That the petitioners observe, by the votes of the House, that a Petition from several masters and journeymen mechanics artificers and handycraftsmen has been presented to the House, and is now pending therein, for leave to bring in a Bill to explain amend and render more effectual the statute passed in the 5th year of queen Elizabeth, intituled, 'An Act containing 'divers orders for artificers labourers servants of husbandry and apprentices;' and that by the said statute it is, amongst other things, enacted that no person shall set up use or exercise any art mystery or occupation then used within the realm of England and Wales, except that he should have been brought up therein seven years at the least as an apprentice; nor are the said petitioners by such statute permitted to set any person to work except such as should be apprentices thereto for the said term of seven years or have served such an apprenticeship, or be hired by the lease, under the penalty of forty shillings for every month of such employment; and that the trade so carried on by the petitioners consists of the manufacture of raw skins into leather or parchment, and of wool, which require to be put, as soon as purchased in the raw state, under a process of manufacture, for the preventing the heating and damage thereof; and that the journeymen employed by the petitioners have frequently, from their small number, been able to agree together for an advance of wages, and in particular at a time when the petitioners had purchased large quantities of raw skins, the journeymen who had served apprenticeships to the said trade declined to continue in the employ of the petitioners, unless the wages to them paid were considerably advanced, although their wages were then very large; and that many of the petitioners, in order to prevent the great loss they would otherwise have sustained, were at that time compelled to advance the wages by them paid, on which the journeymen for some time continued in their employ, but having soon after required a further advance, and the petitioners not complying therewith, they left their employ, which compelled the petitioners to obtain men from other trades, to prevent a total destruction of the raw material, and to enter into contracts with other young men, for short terms of three, four, and five years, to learn the trade; and that many of the young men so bound have, under such contracts, been fully taught and instructed in the said art or trade of a fellmonger, and have become skilful workmen therein, and enabled to support and maintain themselves and families; and that, should such persons be now prevented from following such trade, or the petitioners prevented from following the said trade of a fellmonger, or the setting of persons to work therein, unless such persons should have served an apprenticeship of seven years, it would become a great hardship on the persons so bound for a less term than seven years, a great injury to the petitioners, and to the trade and commerce of this United Kingdom; and that, so far from the said Act of the 5th year of queen Elizabeth now requiring to be rendered more effectual, by subjecting the persons now engaged in such trades to further penalties and restrictions, the petitioners most humbly conceive, and with all due respect submit to the House, that encouragement should be given to all persons who will employ their time, talents or capitals in trade and commerce; and that it would be of advantage to the state if such Act, so far as it prevents such employment, was totally repealed; and praying, that so much of the said Act as subjects or makes liable to penalties any person or persons who should use or exercise any art, mystery or manual occupation, unless he or they have been brought up therein seven years at the least as an apprentice, or the setting to work any person who shall not have served an apprenticeship to such trade for seven years, may be repealed, and that the petitioners may be heard, by themselves, counsel, witnesses or agents, in support of the allegations herein contained, as to the House shall seem meet."

Ordered to be referred to the Committee on the former Petition.

PETITION FROM DUMBARTON RESPECTING THE INCOME TAX.] A Petition of the freeholders, commissioners of supply, heritors, and justices of the peace of the county of Dumbarton, was presented and read; setting forth,

"That the experience the petitioners have had of the mode by which the tax on income is levied on tenants and occupiers of land in Scotland, most completely convinces them of the unequal pressure of it on that description of his Majesty's subjects, insomuch that with the most ardent desire to render this tax as productive to the revenue as possible, they feel confident that the enactment, declaring in all cases one-half of the land rent to be profit, is as arbitrary in its principle as it is highly oppressive in its execution; and that the petitioners are impressed with the fullest conviction that the profits arising from tenanted lands in Scotland do not amount, upon the average, to more than one-third part of the rent paid; and that by the statute 46 Geo. 3, c. 65, it is also enacted, that at the end of every seven years of the duration of a lease, the lands occupied shall be re-valued, and the benefits which a farm may have received by the outlay of a tenant's capital thereon, shall subject him to an increased rate of taxation; and this they humbly conceive to be most unjust in its principle and operation, and most highly injurious to the improvement of bad or waste lands, as it is a fact well known to every agriculturist, that although the farmer's capital is expended in the amelioration of his leasehold, the returns have not, in seven years, in any measure indemnified him for his expended capital, so that at this period of his lease he may be said to have sunk his capital without a return, and to have incurred a heavy penalty, under the authority of an act of parliament, for having presumed to raise two blades of grass or corn where only one or none grew before; and that the petitioners are aware of the reasoning which may be used with some appearance of justice for fixing an arbitrary profit on agricultural industry, that the great body of farmers are not, from their education and pursuits, qualified to render such written statements or accounts of their annual gains to commissioners under the Property Tax, as men of other professions are by law required to do, but while this is conceded, the great desideratum is to fix down the arbitrary assessment on the farmer, upon a principle known by the experience of the Act complained of to be more fair than what is now practised; and that the petitioners do most solemnly declare (many of them being commissioners under the Property Tax Act) that it is their firm belief the Scottish occupiers of land will pay to the full their proportion of the tax on income, by their profits being rated at one-third part of the amount of rent paid, and no re-valuation to take place at the expiry of every seven years of the existing leases, until the said leases shall exceed the term of 19 or 21 years; and praying the House to alter so much of the existing statute as charges the tenant or occupier of land in Scotland to the Property Tax with a profit equal to one-half of his annual rent, and which orders a re-valuation of all farms at the expiration of seven years, and to have it enacted that the Scotch farmer's profits shall not be computed at more than one-third of the rents actually paid, and that no re-valuation shall take place until a lease shall have endured for 19 or 21 years."

Ordered to lie upon the table.

PETITION FROM LIVERPOOL RESPECTING PEACE, &c.] Mr. *Canning* presented a Petition signed by 6,000 of the inhabitants of Liverpool, with the contents of which he could not, he said, agree. The Petition was read, setting forth,

"That the Petitioners deem it expedient, at this momentous crisis, to exercise their privileges as Britons, by humbly stating to the House their sense of public grievances, and by respectfully but firmly calling upon the House to apply to those grievances such remedies as they conceive to be pointed out by the principles of the constitution; and that the petitioners, in the first place, beg leave to remind the House that it is now 20 years since his Majesty's ministers engaged this nation in a war with France, for the avowed purpose of reducing that power within her ancient limits, and of restraining her influence in the affairs of Europe: how miserably this project has failed, how widely the limits of France are extended, and how pernicious to this country her predominant influence in the affairs of Europe has for some years been, it is unnecessary for the petitioners to state, nor will they particularise the numerous military expeditions, from the expedition to Flanders in 1793 to that of Walcheren in 1809, which, after a lavish expenditure of blood and treasure, have, on our part, resulted in disappointment and discomfiture; and the petitioners farther beg leave to state, that there have occurred periods in the progress of this warfare, in which the enemy was so circumstanced that he might reasonably have been expected to accept of peace on terms honourable and advantageous to this country, but that these opportunities of pacification have been uniformly neglected, and we are now not only involved in hostilities with France and her dependencies, but also with the United States of America; and that the petitioners moreover beg leave to remind the House, that during the continuance of these hostilities a great portion of the manufacturing part of the community have repeatedly been reduced to the extremity of want; that the national debt amounts to eight hundred millions, and that taxation bears so heavily upon the middling classes of society, that his Majesty's Chancellor of the Exchequer is said to have declared, that the present system of finance can be carried no farther; and that the petitioners humbly conceive that the disappointments which the nation has hitherto experienced in the course of the war in which we have been so long engaged, must be imputed as matter of blame either to the individuals employed to execute the measures of government, or to ministers, who by the unskilfulness of their plans have lost attainable objects, or by their folly have wasted the efforts of the nation on objects which are unattainable; and yet the petitioners beg leave to represent to the House, it has so happened that not only the general policy and conduct of the war, but every ill-concerted expedition which has occurred in the course of its progress, and which has been from time to time called into question, stands vindicated upon the Journals of the House, by votes of the majorities of its members; and that the petitioners, after the most serious consideration, cannot but regard as the main and primary causes of these evils, the imperfect state of the representation of the people in the House, and especially the inroads which have been made upon the representative system by the lapse of time, in consequence of which the nomination of the members of decayed boroughs is fallen into the disposal of individuals who systematically make such nomination subservient to the purposes of corruption, and frequently a direct matter of bargain and sale; and that to the aforesaid causes the petitioners cannot but ascribe the fact, that in so many instances placemen and pensioners of the crown who have purchased seats, or who have otherwise corruptly procured from individuals nominations entitling them to sit as members of the House, have been empowered to decide upon their own misdeeds, or upon the misdeeds of those upon whose continuance in office they depended for their subsistence, a practice the obvious tendency of which is to render the responsibility of ministers, the grand security of our national liberty and prosperity, an empty name; and that the petitioners humbly conceive that the above-mentioned evils are greatly aggravated by what they must ever consider as the unconstitutional protracting of the duration of parliaments from three years to seven; and praying the House well to consider the premises, and, by taking immediate measures for the extending of the elective franchise, by the exclusion from the House of placemen and pensioners of the crown, and by the shortening of the duration of parliament, to apply a remedy to evils which are daily increasing in magnitude, and which threaten to undermine the foundation of our glorious constitution."

Ordered to lie upon the table.

ROMAN CATHOLIC RELIEF BILL.] Mr. *Grattan* said, that in order to give the fullest opportunity for a consideration of the Catholic Bill, he wished to propose that the Bill should be now committed *pro forma*, that the clauses intended to be introduced by his right hon. friend (Mr. Canning) should be read a first time *pro forma* on Wednesday, and then printed with the Bill, and that the whole should be re-committed on Monday next. He made this suggestion because he thought he saw a fair prospect of a concurrence between those who wished both for emancipation and security, in a measure which he hoped would be productive of great public good, and ultimately tend to general satisfaction.

Mr. *Ryder* agreed that the mode suggested by the right hon. gentleman was the best that could be adopted. He said he did not expect that his prediction that the original Bill with the supplementary clauses would not pass the House without farther alteration and amendment, would so soon have been fulfilled.

Mr. *Canning* said, that it did not require a prospective, but a retrospective view, to discover that his own ideas and those of his right hon. friend on the subject were in some respects widely different, and would therefore require considerable adjustment. The friends of the measure had, indeed, not only to get over substantial differences, but slighter shades of opinion, nor had they merely to satisfy their own minds on the subject, but to meet, to consult, and treat with tenderness the prejudices of others. He believed, however, they should succeed in coming to a mutual understanding among themselves in the House, as they had done out of it, and then they would only have to perform the more easy task of combating the enemies of the Bill.

Lord *Castlereagh* thought it would be better to debate the Bill when they had the whole of it under their consideration. He indulged the hope that it would be so modelled that he should not be compelled to bring forward any distinct proposition in amendment of it.

Mr. *Yorke* gave notice, that if the clauses admitting Catholics to seats in parliament and to civil and military offices, remained in the Bill, he should propose other exceptions in addition to those already made.

Sir *J. C. Hippisley* said a few words in justification of himself.

Mr. *Ponsonby* hoped there would be no farther delay, and that the question would be effectually discussed on Monday.

Mr. *Ryder* expressed his assent, provided Mr. Canning's additional clauses were brought forward on Wednesday.

The House then resolved itself into a Committee on the Bill, when Mr. Grattan brought in certain additional clauses and amendments, which were agreed to. The chairman having quitted the chair, the House resumed, and it was ordered that the House do on Wednesday next again resolve into the said Committee.

MOTION FOR PAPERS RESPECTING THE ROMAN CATHOLIC RELIGION.] Sir J. C. Hippisley then moved, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions, that there be laid before this House, 1. Copies of such papers and correspondence in the office of his Majesty's colonial secretary of state, which relate to the exercise of the Roman Catholic religion in the province of Lower Canada, from the 17th of May 1763, to the 9th of March 1813, inclusive.—2. Copies or extracts of correspondence or minutes of proceedings of his Majesty's ministers, relating to the appointment of Roman Catholic bishops in Malta and Saint Domingo, subsequent to the conquest of those islands by his Majesty's arms.—3. Copy of a letter from sir Charles Stuart, K. B. his Majesty's envoy at Lisbon, to lord viscount Castlereagh, dated the 17th of October 1812, relating to regulations established in Portugal against the encroachments of the See of Rome, together with the following enclosures, viz. copies or extracts of letters from Don Lonigi de Cunha, by command of the king of Portugal, to the Pope's Nuncio, dated 27th August 1770, from Don Josef de Aguso, of the university of Salamanca, to marshal Beresford, dated 20th July 1812, and from the king of Portugal to the cardinal patriarch of Lisbon, dated 23d of August 1770.—4. Extract from his Majesty's commission under the great seal to the governor of Jamaica, authorising the said governor to exercise the power of collation to ecclesiastical benefices, passed the great seal 13th November 1807; together with the instructions under the royal sign manual to the governor of Jamaica, clauses 61 to 68 inclusive, investing the said governor with the office of ordinary, and empowering him to enforce ecclesiastical regulations within his government.—5. Copy of proclamation of the government of Bombay, dated the 2d of August 1791, relating to the exercise of the Roman Catholic religion within the limits of that government.—6. Extract of the constitution of Corsica, ratified by his Majesty in the year 1794, Title X. Articles, 1, 2, 3—treating of religion."—Ordered.

HOUSE OF LORDS.

Tuesday, May 18.

SINECURE OFFICES' BILL.] Earl *Grosvenor* rose to move the second reading of the Sinecure Bill; and, after some preliminary observations, stated his apprehensions, that his arguments would not be very favourably received, and that he should be left in a minority. He was sorry that the Bill had not been taken in hand by one more capable of doing it justice than himself. He had applied to another noble lord to undertake the duty; but this had been refused, so that he himself was under the necessity of moving the second reading of the Bill. The object of the Bill was to abolish sinecure offices, and to regulate those offices which were not sinecures, but where the duties were executed by deputy, and where the emoluments were much too large. This would be a most useful measure in an economical view, and one which, therefore, deserved the support of their lordships. There was not in the whole practice of the constitution a greater monster than this system of sinecure offices, where the holders were paid for doing nothing. They were not themselves the constitution, but an abuse of the constitution. It might be argued, that they were necessary for rewarding merit and services; but they were very ill calculated for that purpose. When the claim of a man of distinguished merit arose, there was generally no vacancy of this kind; and when the vacancies occurred, the offices were in truth given away upon political or family considerations, without much regard to distinguished merit. The word 'sinecure' was a very unpopular word, and indeed so was the word 'pension,' of which several no very favourable definitions had been given. He was informed, that it had been sarcastically stated in another place, that it was no matter should the Bill pass the other House of Parliament, for it was sure to be thrown out in the House of Lords. Now he hoped their lordships would disappoint that expectation. Under the present circumstances of the country, every measure was valuable which had a tendency to promote economy, and unless their lordships agreed to the principle of this Bill, he was afraid that their House, however undeservedly, would sink considerably in public opinion. The noble lord on the woolsack had declared, that unless he (lord Grosvenor) called the attention of the House to this Bill, he (the Chancellor) would. Now if the noble and learned lord had a partiality for the Bill, and would engage to support it, he would very willingly give up the task to him: but he rather thought the partiality of the noble and learned lord to the Bill, resembled that of the wolf to the lamb: it was a love —to strangle it. But he hoped their lordships would observe that this Bill meddled with no vested interests,—with none of the places about the royal family, or any office in which a sinecure might be of any real utility. In adverting to some of the most useless offices, he mentioned the noble and learned lords cursitors, of which body there were 24. The emoluments of 20 of these were to be abolished, and only four of the cursitors were to be continued, —for this very good reason, that four only did the whole of the duty,—the other 20 did absolutely nothing. As the present system of sinecures, then, was not calculated for the reward of public services, and only an unnecessary expence to the public, he hoped their lordships would concur in the principle of the Bill. To any alterations in the details that might be found expedient, he should have no objection. Nothing could be more popular than the passing of this Bill would be. It would produce almost as much joy in the public mind, as the triumphant manner in which her royal highness the Princess of Wales had been cleared from the foul charges and machinations of her enemies. He wished the author of the Bill had been in the House, to ward off, with his broad shield, some of those hard blows which would be aimed at his Bill by the noble and learned lord on the woolsack. The Bill, however, he hoped, would, notwithstanding these hard blows, be passed by their lordships. He concluded by moving, that it be read a second time.

The *Lord Chancellor* said, that no alteration had taken place in the Bill since last year, and his reason for opposing it now as he had done then, was, that it was utterly impracticable, if not unintelligible. It was expected by the noble lord that he should strike some hard blows, from his enmity to the Bill and its author; but he disclaimed any such enmity, unless it was a proof of enmity, that he felt no respect for what he did not understand. The object of the Bill was to abolish two or three hundred offices which had subsisted for ages, and to reduce the salaries of others within reasonable limits. Now he must remark, that those noble lords who were born to great fortunes, were rather hard on the more laborious part of the community, who, like himself, had nothing but their salaries to subsist upon. They were for weighing the public services of professional men in the nicest balance, and for having them paid with the strictest economy. Such was the ignorance, however, with which the Bill was framed, that it proposed to abolish the office of deputy registrars of the court of Chancery as sinecures, by which means, if this Act passed, the doors of Chancery would be closed to-morrow, for there were no principal registrars of that court, and the whole business was done by the deputies, as they were called. The task of originating a reform in the state, difficult and hazardous at all times, certainly required greater consideration than had been given to the present measure, or than (he would add) those persons were capable of giving to the subject, who could twice send up so crude a project as this Sinecure Bill. In answer to what had fallen from the noble earl, he would say that the House of Lords were as attentive to real economy as any other branch of the legislature, but they were not willing to deprive the crown of the power of rewarding public merit.

The Earl of *Lauderdale* expressed his decided disapprobation of the Bill both in its principle and in its detail. It would effect no saving at all, and in a constitutional point of view, he considered it as highly mischievous. It indeed required more ingenuity and attention than fell to his lot to understand even a single clause of it. The very title was absurd. It called upon the House to abolish and regulate certain sinecure offices, all and each, that is, they were called upon to regulate what they had just abolished. The salaries of public offices were too low at present; they had not risen with the depreciation of money, and increase of business; and as being born to a large fortune was not always the sure forerunner of great talents, he was unwilling to starve the public service by withholding a suitable reward from able men; by taking away or diminishing the salary of an office, and thus very probably losing the service of the individual who filled it, the country might be plunged into a war which would cost them fifty millions. He agreed that there were many offices which might well be abolished, and which ought to be so by the executive government; but it was not true, as the Bill seemed to imply, that there was more danger to the constitution from this source than in former times. Not to refer to the administration of sir Robert Walpole, even in the year 1705, and before the Union, the number of placemen in the House of Commons far exceeded what it was at present. No government could subsist without a system of rewards as well as punishment, these were not to be governed entirely by reason; at least, he had never read a single statute, though he had read a good many, which depended on good logic. By the present Bill, the crown would have been prevented from rewarding such talents as those of Mr. Burke and Mr. Fox. The noble lord concluded with making some strictures on the wording of the Bill, and with giving his decided opinion against it.

Lord *Ellenborough* said, that *omne ignotum pro magnifico* seemed to be verified with respect to some of the offices in the present Bill, for he had never heard of them. Thus, for instance, the Clerk of Nisi Prius on the Oxford circuit was mentioned in the list of sinecures; he knew of no such office, though he should be glad to find that it existed, as he should lose no time in filling it up. Several of the offices, in the court of King's-bench, were classed as sinecures, though they were places of hard duty; this was the case with his own secretary. Additional assistants were employed, because those that they before had were found unable to get through the business. Yet the present Bill proposed to get rid of these additional offices, which was as absurd, as if, because you can hardly pull up Highgate-hill with two horses, you should take off one of them. The only intelligible part of the Bill was what might be called the jocular part of it; he alluded to the curious manner in which different officers were put together in the same truckle-bed, as the Auditor of the Exchequer with the Surveyor of the Forests, and many others which had as little connection. For himself, he would only say, that the emoluments of his office barely enabled him not to trench upon his private fortune. His profits came in by driblets of 2*s.* 6*d.* and 6*s.* 8*d.* and not like the payments of gold which the noble lord received from his Cornish lead mines. Yet he thought that those who held high situations in the country ought not to be reduced to the situation of paupers. If the Bill had any principle (of which he spoke very differently) it was to substitute pensions for sinecures, and to appreciate public service by length of time, the worst measure of it that could be devised.

Earl *Grosvenor* shortly replied, when the motion being put, it was negatived without a division.

HOUSE OF COMMONS.

Tuesday, May 18.

LEATHER TAX.] Mr. *Benson*, in rising to bring forward his motion on the above subject, pursuant to notice, disclaimed all imputation of a wish to embarrass the right hon. gentleman the Chancellor of the Exchequer, in the furtherance of his plans of finance. He rose for the purpose of protecting a trade which had been long oppressed, and which, if something was not speedily done for its relief, must of necessity be completely ruined. The tax which had been imposed on leather recently had fallen particularly on one class; it had been hitherto paid by the tanners out of their own pockets, without the possibility of being remunerated; but this, it was obvious, they could not long continue to do, because they must execute contracts previously formed; but then this payment reduced them to the necessity of contracting their speculations, in consequence of which they confined themselves to the home slaughter, and the South American market was thrown out of use. Thus the tanning trade had fallen off no less than one-third, and so much had it affected that class, that by way of illustration, he could mention, that the capital of one whom he knew, had been reduced from an immense sum almost to nothing. There were many other circumstances by which this trade was much depressed, but which he did not feel himself justified in taking up the time of the House so long as would be necessary to detail them. The second class affected by the tax were the curriers. These candidly owned that they had hitherto benefited by the tax, but then it was in consequence of the tanners paying it, as he had stated before, out of their own pockets. As long as this was to continue, they were sure of a better price for their labour; but they had, nevertheless, joined in the petition against the tax, seeing that it could not continue, and rationally apprehending that whenever it ceased they would be sufferers in common with all the other trades concerned.—The third class affected was that of the tanners in shumac. Their business had materially suffered; as had also that of the fourth class, namely, the oiled leather-dressers.—A fifth class consisted of the shoemakers, on whom the tax pressed very heavily. The journeymen, as in other cases, had been as yet preserved from absolute starvation by the bounty of their masters, but that source of assistance was not sufficient to preserve them from great distress. In Staffordshire, in particular, some wholesale manufacturers had been reduced from capitals of 25,000*l.* to almost nothing, and had scarcely been able to keep their labourers from starving. Some had in a short period been so reduced, that when he went to thank them for their kindness in returning him to parliament, they had met him at the threshold of their doors with a hearty shake, indeed, of the hands, but had expressed their unwillingness that he should enter their houses to see their poverty. One person he particularly alluded to, who thus met him at the threshold, greeted him with a hearty shake of the hand, but appeared averse to letting him enter his dwelling, ashamed of the change he would find in it, stripped as it was of all the little conveniences which were formerly to be found within its walls, but of which the want of employment, and consequent pressure of poverty, had now bereft it. He begged leave to call the attention of the House to the evidence which they had before them. In the evidence which had been taken before the Committee, that of Mr. Roby, the tanner of Tamworth, was particularly worthy of remark. This person had candidly stated, that he had not been himself a sufferer by the tax, but had accounted for an exemption which he was almost singular in enjoying, by stating, that he had foreseen the pressure which the tax would be likely to produce on the trade, and having fortunately speculated on it, had done more than preserve himself from becoming subject to it. He foresaw that the great tanners were likely to contract their trade, whilst the minor tanners must do so; and hence that he might look for an increased demand for his own stock: upon this he built, and his speculation succeeded. But he protested against any general conclusion in favour of the tax from this witness's individual success. For Mr. Roby had gone on to state, that it would be wrong to judge of the situation of the trade from his success, for that it was actually ground down almost to nothing, and that if something was not speedily done to assist it, complete ruin must ensue. A different evidence had indeed been given by Mr. Maberly, who was neither a tanner, a currier, nor a shoemaker, but a government contractor to an immense amount, and how such a witness was likely to incline, it could not be difficult to conjecture. This gentleman had made a calculation, whose elaborate accuracy did him great credit; he had estimated, to the fractional part of a farthing, how much the government would receive. But he had neglected to state what, however, it was very essential should be stated, namely, what the poor man paid. Now this was so excessive when compared with the advantages accruing to government, that he could not but pronounce the tax partial, unprofitable and oppressive. With respect to all the other witnesses examined by the Committee they were unanimous against the tax. In fact, the receipt of the Treasury from this tax, was so insignificant compared to its distressing operation, that this comparison alone suggested the propriety of its repeal. For the first quarter after its enactment it had no doubt been tolerably productive, because it applied to the stock of leather on hand; but in the second quarter there was a falling off of no less than 43,000*l.* This, however, was not the only loss government sustained. He would ask the hon. gentlemen on the Treasury bench how much government lost by the advanced price of boots and shoes in consequence of this tax—that is, how much of the tax did government itself actually pay. He was satisfied that the right hon. gentleman had been egregiously deceived by those who had supplied him with the information which had led to the imposition of the tax. With respect to the augmentation of the revenue, he had to observe, that government paid themselves a considerable proportion of what afforded it, and therefore as they lost by an ill-judged tax in one way nearly what they gained in another, he must consider the public as in a great measure gratuitously visited with a very heavy burden. He was at a loss to know what line of argument would be adopted in defence of a tax which appeared utterly indefensible, in what point of view soever it might be taken. The right hon. gentleman had boasted, when about to impose it, that he had discovered a manufacture which was capable of bearing taxation. How well such a boast was founded might be learned from the result.

The tax was imposed, and in the short space of nine months, this supposed flourishing manufacture was reduced almost to nothing. The fact was, that it had been long in a declining state, and was more in need of a bounty to raise than of a tax to depress it. He must return thanks to the House for the indulgence with which they had heard him, and he should now conclude by moving, " That so much of the Act of the 52d of his present Majesty should be repealed, as went to impose an additional duty on hides and skins."

Mr. *Wharton* said, the present question was one of vital importance to the revenue. After having paid the utmost attention to the evidence taken before the Committee, he should now endeavour to give his unbiassed opinion upon the whole of the case. The hon. gentleman, he must remark, had very religiously abstained from noticing the accounts which were lying on the table, and was disposed to view the subject wholly through the medium of the evidence of persons interested in the abolition of the tax; from such persons no unbiassed statement could be expected, and it was fair to impute to the hon. member a wish to promote an unsound decision, when he had attached himself wholly to such statements, and had entirely neglected papers which supplied unexceptionable means of forming a judgment, for it was admitted in evidence that these persons, on whose testimony he had relied, had contracted their trade in order to reduce the amount of the tax. He maintained that although the trade had been so contracted by these persons it had increased in other quarters, for instance, in Northampton and Wellingborough, as he learned upon the most authentic information. He had, indeed, received intelligence from various quarters, very different from that deposed before the committee by the hon. mover's constituents and others, and his conclusion from this intelligence was, not that the leather trade had declined in consequence of the tax objected to, but through the general distress of trade, through the same distress which appeared in the evidence respecting the operation of the Orders in Council, which distress must affect tanners and shoemakers, as well as other manufacturers. The decline of the tanning trade was therefore not attributable to the tax complained of. The hon. member would never have given himself any trouble with respect to the duty if he had not been a member for Stafford. But with whatever zeal he might be disposed to serve the shoemakers of that place, he was surprised that he could assert their distress to have arisen from the additional duty. The hon. gentleman, in enlarging upon the evils arising from the new duty, had confined himself to the case of the shoemakers of Stafford, for it had been abundantly proved that no case had been made out for other places said to be injured, as the noble lord (Compton) himself would, he was sure, acknowledge. He contended, that the trade of the tanners was very greatly ameliorated within the last four years; and this was proved by the diminished quantity of leather imported into this country, and the increased quantity of leather manufactured in the country during that time. He next proceeded to state the result of the examination of the accounts which had been laid upon the table, and which showed that a considerable diminution had taken place in the imports of tanned leather from the year 1810, up to the half year ending in January 1813, from which he inferred, that as far as the internal trade was concerned, the condition of the persons concerned in the leather trade was much ameliorated in being protected from competition. He next argued from the documents on the table, the progressive increase in the exports of wrought leather for the last ten years. From these he contended that the exportation of leather manufacture had rather increased since the imposition of this tax; that to our colonies had increased two-thirds within the last year. The hon. gentleman (Mr. Benson) had stated as a proof of the distressed state of the trade, that a number of tanners were going out of business, and that several tan-yards were untenanted; but this, if admitted, would not go to establish the fact contended for by the hon. gentleman, for it was well known that trade changed hands, and passed from one set of persons to another. Mr. Bruen, for instance, his great informer, had carried his speculations to too great an extent in the use of Valonia, and the consequence was, that he lost his customers. The general trade had increased, as was proved by the progressive increase of duties. The number of tanners had considerably increased. The number of licences had increased within a very short time from 1,600 and odds to 1,700 odds. Mr. Roby said truly, that the trade had been lately in a state of great depression; but he did not tell the reason. It was this great influx of persons who produced an inferior manufacture from foreign hides of a bad quality, which were purchased at a cheap rate, and the competition thus occasioned. There were a great quantity of damaged hides wrought up to the great injury of the trade. Mr. Roby, however, said, the way to improve the trade was to lay on a heavy duty, because that would render a great capital necessary to carry it on, and by the addition of a heavy duty the price would be so raised, that when the good and the bad article came into the market nobody would buy the inferior. It was said by the hon. gentleman, that this tax fell disproportionably heavy on the lower orders. He would show that the operation of the new duty was more fair than had been represented. Supposing a farm servant to wear two pair of shoes per annum, the increase of duty would only increase their price to him 1*s.* in the year; and, allowing a profit upon the duty of 200 per cent. the whole that he would pay of addition, in consequence of the tax, would be 3*s.* per year, not more than one day's labour. He could wish the hon. gentleman to suggest any tax that would fall lighter on the lower orders of people, or at all proportionably heavier on the rich. He could not conceive how any tax could operate more equitably on that class of persons who were least able to bear it. It was quite evident too that the rich man paid the duty in an enormous proportion, for he felt it not worth mentioning in the article of shoes, but of boots, carriages, harness, book-binding, and various other articles in which leather was used as a necessary material; yet in the face of these facts, it was stated that the tax was oppressive, because it fell more severely on the lower orders. He would be glad if the hon. gentleman, or those who thought with him, would propose any tax which was more free from the imputation than the one now under consideration; he would be glad to know what the hon. gentleman would say to the taxes on salt, on malt, or on glass windows—taxes of a much severer operation, but which no person had brought forward any proposition to repeal. The hon. gentleman he believed, was the first in the annals of the House who had ever brought forward a proposition of the kind, and he would be much obliged if the committee adopted it. With respect to the government purchases in the article of leather, he wished to say one word about the effect of their purchases on the duty. He had taken pains to go through the scattered facts in the evidence on this subject, and the whole addition occasioned by the purchases for the army and navy, amounted only to 22,000*l.* whereas the tax produced 346,000*l.* Government purchased 600,000 pairs of shoes, on which the additional duty was 5,000*l.*; in boots and soles the amount of duty was about one-fifth, making in the whole 6,000*l.* a year. To this sum 10,000*l.* more was to be added for harness, &c. making in all for the army 16,000*l.* The navy might be computed at a similar rate, so that the whole additional duty paid by government might be estimated at 22,000*l.*

therefore, the whole effect produced by the government purchases, was to be computed in the ratio of 22,000*l.* to 346,000*l.* the total amount of the new duty. He would ask, whether the committee could be induced to suppose that such a proposition could have the effect of keeping up the trade? He wished to offer a few words on a point which had been considered important in the committee; namely, that the effect would be ruinous to the export trade. If this were the case, the objection would be a strong one; but the reverse was the fact, as amply appeared from the answer of Mr. Bell before the committee, relative to the export of shoes to Batavia, before and since the new duty, there being a clear profit of difference of 71*l.* 8*s.* in the former case, and of 99*l.* 4*s.* in the latter, to the exporter. The tanner, however, had laid an advance of price upon the article, which was much higher in proportion to the duty than he ought to have charged. Some years ago the encreased price of bark had encreased the price of tanning 1½*d.* per lb. Now at that time nobody complained to parliament of the encreased price of bark; nor did any one assert that the tanning trade would be ruined by it. How then could it be said that the new tax, which added no more than 1½*d.* per lb. to the price of leather, could injure the trade? There could be no export trade of leather to the continent, because it was evident that the continental tanner obtained his hides and his bark almost for nothing. The hon. gentleman next commented at considerable length on the evidence given before the committee, adducing several arguments, and referring to different documents to disprove the assertion advanced by several of the witnesses who were adverse to the tax, and pointed out contradictions in the evidence of Mr. Bruin, Mr. Beddow, Mr. Learmouth, and the rest of the "seven wise men" who had been brought forward. The object of these comments was to show, that the witnesses alluded to, in their answers had evinced such ignorance and inconsistency, such a wish to give a colour to every thing, and had committed so many blunders, that their evidence was not entitled to the smallest consideration. He conceived the whole of the evidence on which the mover of this question had founded his motion to have arisen from a perversion of ideas on the part of the witnesses, contracted in their tan-yards, and that the only real information on the subject was to be derived from the official returns. The amount of the import of foreign leather since 1804, when it was 787,413lbs. In the last year, 1812, the quantity of foreign leather imported was 17lbs. Such had been the effect of a duty which, according to Mr. Learmouth's opinion, was to have ruined our domestic leather trade, and to operate so greatly in favour of the foreign trade. Mr. Bruen had given in evidence that the tax would give an undue influence to Ireland; but the advantage gained by Ireland, by the Irish curriers, appeared in one year to be 318*l.*! This it was that was to ruin the English leather market! But even if there were any advantage peculiarly enjoyed by Ireland, he thought the House would do wrong, if it impossed any shackles on it; for Ireland was a part of the empire, and the creation of a new market for it ought not to be viewed with a too jealous eye. The views that had broken in upon them this evening, from the much-lauded body of evidence, originated with narrow minds—with those whose ideas did not extend further than their own tan-yards! The House, however, was called on to repeal the additional duty; but if the arguments, which had been adduced, went for any thing, they were equally powerful against the old tax, which, though it produced annually 650,000*l.* ought also to be repealed. But could the House resolve even to repeal the additional tax on such contradictory, inconsistent evidence, as had been laid before them? In enforcing the inconsistent and contradictory evidence of his seven counsellors, the hon. member (Mr. Benson) had carefully abstained from suggesting any other tax in the place of the one which he proposed to abolish; but possibly he might say, that was not his business. He (Mr. Wharton) regretted that the hon. member had not carried his patriotism a little further—that he should have confined it to his constituents of Stafford —that he had not proposed some other tax, which would be as productive, and less objectionable, than the one now proposed to be repealed.

Lord *Compton* said, he was not one of those who thought members of that House were in all cases bound to follow the opinions and instructions of their constituents; they had undoubtedly a right to act according to the dictates of their own consciences: but if there should happen to be a case in which their constituents were confessedly much better informed than the member could be, and, from their peculiar distresses, they called on their representative to state their grievances to the House, as had been done by the people of Stafford, they were unquestionably entitled to his particular attention in bringing forward their complaints. He thought the hon. mover had acted most wisely on the present occasion in listening to the suggestions of his constituents, and in originating the present motion. For his own part he had generally supported ministers, but in this case he should not go along with them, as he thought a tax oppressive in its effects, and unproductive in its results, ought not to be persisted in. If the trade had declined antecedent to imposing the tax, it was improper to resort to it; if it had declined since, he must suppose the tax had occasioned the decline, and as such ought not to be continued.

Mr. *Marryat* objected to the tax (which he had opposed on its laying on last session) as far as his own constituents, who dealt principally in sheep skins, were concerned, on the ground that it had hitherto fallen entirely on the manufacturer, not on the consumer. The additional tax had not only much diminished the export of the article, but much diminished the home consumption. He could perceive demonstrative evidence of this even on taking a view of the ministerial bench, where he perceived that gaiters had generally usurped the place of boots. One invincible objection against the late increase of duty, however, was, that it had enhanced the price of the commodity to the poor man in the proportion of 1*s.* 6*d.* and to the gentleman, in the proportion only of 6*d.*

Mr. *Davenport* said, he had attended the committee daily during the time of its sitting, and the conviction on his mind was, that this was an extremely injudicious tax, and therefore the motion had his support.

Lord *Althorpe* also supported the motion. The additional duty was imposed at a time when the trade was in a depressed state, the poor were unable to bear it, although no new duty had been imposed upon leather for the last 100 years, and at a time when the poor contributed to the payment of the additional tax at the rate of 200 per cent. and the rich only at the rate of 30 per cent. The poor were, therefore, so far as this additional duty was concerned, taxed, when compared with the rich, in the proportion of 200 to 30.—While the revenue to government from this tax, too, was only as 10½, the public was, by the operation of it, paying from 1*s.* 6*d.* to 4*s.* on the articles for home consumption; and the loss upon the drawbacks for exportation was in the proportion of 7 or 8*s.* to 2*s.* 6*d.*

Mr. *Bennet* defended the gentlemen who gave evidence before the committee, from the aspersions that had been thrown upon them, and argued generally against the tax. If the gentlemen opposite would seriously set about reforming existing and glaring abuses, and abolishing the pensions and sinecures held by members of that House, it would produce four times more than this obnoxious and imprudent tax, which he could not support, although it might be said that government wanted money, since that was a want common to all spendthrifts.

Mr. *Lockhart* said, this tax had all the vices of a poll-tax, without any of its merits. It also fell heaviest on those who could least afford it, the labourers of the country. The right hon. the Secretary of the Treasury had said, that this tax would cost a labourer no more than half a day's wages in the whole year; but he ought to remember, that a labourer used often more leather than that which was necessary for his shoes, as, in some cases, various other parts of his dress were made of it. He ought also to recollect, that labourers had generally wives and children, for whom shoes were necessary, and that he could not well spare even half a day's wages without inconvenience. A rich man, on the contrary, if he found the tax too heavy, had only to retrench a little in the decorations of his harness and carriage; and in this he would probably be even a gainer, as he might gain more in soundness of materials than he lost in ornament,—or, at the worst, let him only use his harness one year longer than he was accustomed to do, and it would answer the same purpose of economy. He disapproved of this tax, as it was a tax upon agriculture: it also fell very heavy upon the labourer, who was not able, as the French call it, to make a repartition of his share of this tax upon others.

Sir *C. Morgan* was convinced the tax was injurious to the leather trade, without being productive to the public; and therefore he should support the motion.

Mr. *Protheroe* said, that to his certain knowledge many journeymen shoemakers were turned out of employment in consequence of this tax. He would give his vote for the motion.

Colonel *Foley* alluded to the intimations given on this subject to the right hon. the Chancellor of the Exchequer, on a former occasion, in consequence of the instructions which most of the county members had received from their constituents on the oppressive operation of the tax, and was sorry that they had been wholly disregarded. When the right hon. the Secretary for the Treasury complained that the witnesses examined before the Committee were all interested, he must tell him, begging his pardon, that he spoke nonsense; and that those who recommended the measure to the right hon. gentleman were equally interested. He had heard that this measure originated with the right hon. Secretary, and not with the Chancellor of the Exchequer, and was sorry that the right hon. gentleman had adopted the spurious offspring of another. He, however, hoped that the Chancellor of the Exchequer would persevere, that he would abandon the benedictions of his friend to receive the gratitude of thousands whom he would thereby save from ruin.

Sir *C. Monck* remarked that two-thirds of the leather were lost in the currying, so that the tax was trebled upon the consumer. On every ground which had been stated, he felt he must support the motion.

The *Chancellor of the Exchequer* spoke, at some length, in favour of the tax. It was true, that the tax had been previously considered before it came into his hands; but the experience of the past year confirmed his opinion, that it could not be given up without public detriment, and he knew of no other tax less objectionable. If now repealed, the supposed benefits could not be produced: but a clear gain would accrue to individuals. The price of leather had been affected by other causes, and the repeal would not reduce it: therefore he could see no relief for the poor. He praised the degree of accuracy with which the public accounts of the revenue were made up. It was an error to say this tax was unproductive; which might be seen by looking at its product, and comparing it with others. In three quarters, ending April the 5th, it brought 118,000*l.*; the glass duty imposed at the same time, producing only 2,089*l.* The tax was originally carried by only a small majority, but there had been afterwards a very busy canvass and intrigue through the country in favour of its repeal. Tanners were advised to lessen their trade, in order to see if the tax would be taken off. Objections might be raised to all taxes, but nobody had, in this case, pointed out a better as a substitute. It appeared, from evidence, that the price of leather was not affected by the tax. The increased price of the manufactured goods did not depend so much on the tax on leather as on the fluctuation of the price of the raw materials. The price had in five years risen from five to eight shillings, before the new duty, without complaint from the consumers. In the same time skins had advanced from two to four shillings. The fluctuation was of such a nature that the repeal was unlikely to have any effect. In 1799, a witness said that leather was tenpence a pound, and now it was four shillings. He was willing to give the evidence on both sides due weight, as it was valuable; but many answers were given to questions not precisely understood. It was evident that the tanner was sufficiently reimbursed. The sufferings in Stafford arose from other circumstances: wages had been raised there by a combination of the workmen, and it was evident that the tanning trade could not possibly be so ruinous as was represented. The effect on the export trade, it appeared had not been unfavourable, because it appeared that from 664,000 lbs. exported in 1810, and 1,164,000 lbs. in 1811, the export had increased in 1812 to 3,008,000 lbs. The drawbacks last year were also double what they had been in the preceding one. The question, whether it might be proper to alter the mode of imposing the charge—but this was one which it was not fit to debate in that House; he should, however, make all due inquiries on the subject.

Mr. *Western* rose to state the effect of the tax on the trade of leather; as appeared by the documents on the table, 93,000 hides having been imported in 1810 and only 35,000 last year, which were all re-exported. This amounted to a decay of one-third of the whole trade. The duty was in effect 80 per cent. on the prices of foreign hides. The exportation, though increased as to Ireland, had decreased to foreign parts. In 1810 this latter branch was 136,000 lbs. in 1811, 101,000 lbs. and in 1810 only 92,000 lbs. This difference he conceived to be owing to the decay of the trade, and, therefore, thought this was not the time for taxing the raw material.

Mr. *Robinson* accounted for the circumstance mentioned by the last speaker, by stating that there had been such an extraordinary importation in the three years preceding 1812, that the market was quite glutted with them.

Mr. *Fitzgerald* observed, that the interruption of the intercourse with Buenos Ayres, in 1812, might have been the cause of the diminution of the import of leather in that year.

Mr. *W. Smith* objected to the Bill on the grounds that it imposed a disproportionate burthen on the leather traders; that the tax was not of such consequence as to render it worth while to throw the leather trade, from which the profit derived was so much as 19 millions, into confusion on its account; that it was a burthen pressing particularly on the poor, and that there was paid on its account by the consumer thrice as much as the amount of the receipt to the Exchequer.

Mr. *Benson* shortly replied, and observed that he should have answered at some length the hon. Secretary of the Treasury (Mr. Wharton) had that gentleman remained in his place. He should confine himself to the remark, as to what the hon. gentleman had said against the evidence of the leather trade; that although they were not philosophers or statesmen, nor had published quarto poems to astonish and amuse the world, they were men of common sense, and as much honour, probably, as the hon. Secretary himself. He complained of the tone and language which the hon. Secretary to the Treasury had applied to him.

The *Chancellor of the Exchequer*, in the absence of his hon. friend, assured the hon. gentleman that there had been no intention to show him any disrespect.

The House divided, when the numbers on each side appeared equal, viz. 104. The Speaker then observed, that as the question was to be decided by his vote, he should give it with the Ayes, because he thought the question deserved further consideration. He accordingly gave his vote in favour of the motion. The numbers then were—

For the Motion	- -	105
Against it	- - -	104
Majority	- -	1

Mr. Benson afterwards brought in the Bill, which was read a first time, and ordered to be read a second time on Thursday.

Resolutions respecting the Appointment of a Short Hand Writer.] On the motion of Mr. Lushington, the House came to the following Resolutions:

1. "That the Clerk of this House do appoint a Short Hand Writer, who shall, by himself or sufficient deputy, attend when called upon to take Minutes of Evidence at the bar of this House, or in committees of the same.

2. "That whenever the chairman of a committee to whom a private Petition or Bill shall be referred shall require the attendance of a Short Hand Writer, the expence shall be defrayed by the party or parties promoting and opposing the same, in such proportions as the said chairman of the committee shall direct.

3. "That the charge to be paid to the Short Hand Writer shall be the same as that already directed in the case of election committees, viz. two guineas per day to such person for his attendance, and one shilling per sheet (containing seventy-two words in every sheet) for the transcript of the Minutes of Evidence and proceedings if required, and that the same shall be due and payable as any other fees are by the orders of the House, and shall be deemed to commence at the beginning of this session of parliament."

Ordered, That the said Resolutions be entered on the Table of Fees, and printed therewith.

Petition for promulgating the Christian Religion in India.] Twenty-seven Petitions were presented, praying that such provisions may be inserted in the new charter to be granted to the East India Company, as shall afford sufficient facilities to those benevolent persons who shall be desirous of going to India for the purpose of communicating to its population the blessings of useful knowledge and moral and religious improvement; and also such provisions as shall prevent the obstruction of their endeavours for promoting their object in that country, so long as they shall conduct themselves in a peaceable and orderly manner.

Mr. *Wilberforce*, on presenting a Petition from the Baptist Missionary Committee, relative to the propagation of Christianity in India, took occasion to correct a misapprehension which had gone abroad, that the members of this sect had petitioned the House for leave to propagate their own peculiar tenets in India, whereas their object was the promotion of

Christianity generally, without reference to any particular sectarian doctrines. The hon. member had pronounced a high eulogium upon the general conduct and character of the body to whom the petitioners belonged, that body having, although it commenced under peculiar disadvantages, succeeded in promoting very considerably the great interests of religion, humanity and learning. In India it was known that, although the Baptist Missionaries were not originally proficients in literature, they had contrived to acquire an intimate knowledge of the Sanscrit and several Indian languages. Indeed Dr. Carey (one of the most distinguished of the Baptist Missionaries), in consequence of his proficiency in these languages, and his general merit, had been appointed by lord Wellesley a professor in the college of Calcutta. But, there was this farther and remarkable merit belonging to the Baptist Missionaries ; that they were now engaged in translating the Bible into ten or eleven different languages of India, and that the produce of their literary labour and industry had, instead of being appropriated to their own use, been uniformly thrown into the common fund for extending the adoption and influence of Christianity. [Hear, hear!] After reading the testimonies of lords Wellesley and Minto in favour of these Missionaries, with the copy of the authentic instructions which they received when proceeding on their mission, the hon. gentleman concluded with moving that the Petition be received.

General *Gascoyne* confirmed the statement of the hon. gentleman, as to the mistake which had gone forth on the subject of the intentions of the Baptists.—The Petition was then ordered to lie on the table.

American Licence Trade.] Mr. *Marryat* presented a Petition from certain merchants of London, which he wished to preface by a few observations, and trusted the House would favour him with an attention equal to the importance of the subject. The chief complaint of the petitioners was, the encouragement given by licenses to the trade of lumber and staves, between the United States of America and our West India colonies, whilst the Americans took nothing from us. This system was unjust and ruinous to our colonies, or rather to our provinces in North America, which had evinced so much loyalty and so much bravery in repelling the invasion of the enemy, as to deserve every favour this country could bestow upon them. It was ruinous to trade in general, and more especially injurious to the shipping interest, which employed between five and six hundred sail of regular ships in the trade of Quebec alone, and which were now without freight by the interference of neutral ships provided with licenses. It had been said in defence of that system, that as the greatest part of the American ports could not be blockaded during the whole year, neutrals would at all events get possession of that trade; and it was better, since they were to enjoy it, that it should be under some regulations advantageous to us. This, however, was a plausible argument, and nothing else. It was true, indeed, that some of the American ports could not be blockaded throughout the year, but then there was no other market open to the kind of American produce he had alluded to but our West India colonies; for the description of neutrals the present system of warfare admitted, could not carry it to France or to her dependencies, being considered by that power as enemies. By encouraging that exportation from the United States, we were, in fact, submitting our own American provinces to the commercial pressure which was intended against the enemy. It had been said also, that our American provinces were not able to supply the West India market with a sufficient quantity of lumber and staves : this, however, he could deny from the most respectable authority. Lumber and staves were at present unsaleable in Canada, Nova Scotia, and the Prince of Wales's Island, from the want of demand: and they had on hand a stock sufficient to supply the West Indies for five years. In a political point of view, the system was equally erroneous ; as it prevented the States of America, which supplied those articles, from feeling the pressure of the war, the only thing perhaps which could thoroughly disgust them with it. He had always been against the system of licenses ; but he thought that in no case had it been more injuriously extended. The hon. gentleman then adverted to the decrease of British seamen, owing to the employment of foreign shipping. This had been proved in the most melancholy way, in the action of the Java against the Constitution ; a great part of the crew of our frigate consisted of foreigners who refused to obey the orders of the captain to repair the ship in the intermission of the action, whereas the American frigate was ready in an hour to renew the engagement. He understood, that on board most of the men of war, there was the same unusual proportion of foreign seamen, and this could be attributed to no other cause, but to the encouragement exclusively given to foreign shipping. The hon. gentleman then apologized to the House for having trespassed so long on their time; but he had thought it necessary to say so much, on such an important subject.

Mr. *Robinson* thought that the hon. gentleman had been very far from taking a correct view of the subject; he had seemed to object to the granting of licenses for American exportation, especially on the ground that they contained no specific condition for an adequate quantity of exports on our side. But this condition was necessary only when the power with which we traded had imposed a similar one on his side, as was the case in respect to France. That power had first enacted, that for every article of importation she might be disposed to admit, an adequate exportation of her own produce should previously take place; it was of course necessary to meet her on equal terms, or no trade could possibly take place; but in any other circumstances it was impolitic to force exports. It should be besides recollected, that previous to the declaration of war, a number of American vessels had sailed from the ports of this country, laden with the produce of our manufactures, and the licenses now so much complained of, might be considered as a just way of affording America the means of paying for the goods she had thus got before hand. It was impossible, besides, to carry on long a trade when all the advantages of exportation were on one side; and it ought to be considered, that America took our manufactures in exchange for her raw produce, and we were in a manner compelled to that advantageous exchange, for she had nothing else to give. If it was true, which he did not pretend to deny, that American ports could not be blockaded during the whole year, and that neutrals might then enjoy that trade undisturbed, why should we deprive our merchants of a fair participation in it? Licences were, besides, for unblockaded ports only, and to these neutral vessels had access at all times. As to the employment of foreign ships to carry on our trade, it was an evil naturally attendant on a state of warfare, and had been so from time immemorial, but that was no reason for giving up all trade, because it could not be carried on in English bottoms. As to the produce of our American colonies, it was sufficiently protected by the high duties imposed in all the West India islands upon foreign lumber, and which was such, that many representations had been made, complaining that those duties amounted to a prohibition. The hon. gentleman concluded by observing, that commerce, in time of war, could not be attended with the same beneficial consequences as in time of peace, and the only duty of government was to devise the best way possible under existing circumstances.

Sir *William Curtis* approved also of the principles of the Petition.

The Petition was then brought up and read, setting forth,

" That by the Act 43 Geo. 3, c. 153, various articles therein specified may be imported from hostile countries in neutral ships, and any goods, wares, or merchandize, specified in any order of council, may also be so imported, in contravention of the Act of 12 Car. 2, c. 18, for the encouraging and increasing of shipping and navigation; and that, by the Act 48 Geo. 3, c. 37, any goods, wares, or merchandizes, specified in any order of council or licence, are permitted to be imported, during the continuance of hostilities, from any port or place from which the British flag is excluded in any vessels belonging to any country, whether in amity with his Majesty or not, in further contravention of the said Act; and that the petitioners humbly conceive, both from the important national interests dependent on the aforesaid Act of 12 Car. 2, c. 18, as well as from the purport of the Acts of the 43d and 48th of his present Majesty, that it was not the intention of the legislature to dispense with the provisions of the aforesaid Act, for the encouraging and increasing of shipping and navigation, in any other than cases of urgent necessity; and that the petitioners have therefore learnt, with equal surprize and regret, that it is in the contemplation of his Majesty's government to authorize the importation into the United Kingdom, in neutral vessels, of certain articles of the growth and produce of the United States of America, although those states are now engaged in the most inveterate and unprovoked hostilities against this country; and that the petitioners have reason to doubt whether any necessity exists for the admission into the United Kingdom of any of the articles of the growth and produce of the United States; but more particularly they beg leave to state their conviction that no necessity can exist for the admission of American ashes, staves, or wood of any kind, as the markets of this kingdom have, for several years last past, not only been fully supplied, but were absolutely overstocked with the articles last mentioned, imported chiefly from the British North American colonies, in British ships, and paid for in British manufactures; and that large additional quantities of all the aforesaid articles, and more than sufficient for the demand and consumption of this country, may be imported this season from the said colonies, if not prevented by the admission of the same articles from the United States, which, if licensed by his Majesty's government, must, from the lower rate of freight and insurance at which the same, if so licensed, could be imported, entirely destroy the trade of those colonies; and that the petitioners, independently of the total destruction of their trade, have reason to dread still greater evils from the measure in question, if adopted, as they apprehend it will act not only as an encouragement to the United States to persevere in the present war, but as a discouragement, in an equal degree, to the inhabitants of the British North American colonies, whom the petitioners much fear it might lead to relax in those exertions which have hitherto contributed so materially to preserve those invaluable colonies; and that the petitioners humbly conceive, that no fact has been more clearly established, by the experience of late years, than the importance, not to say the necessity, of every country providing, as far as possible, for the sale of those commodities and articles of produce, the manufacturing or raising of which tend, in the greatest degree, to employ the industry and promote the general prosperity of the community; to this necessity his Majesty's ministers were last year induced, contrary to their own avowed conviction of expediency, to sacrifice the Orders in Council; to a similar necessity, the government of the United States was obliged, four years ago, to sacrifice its system of embargoes, the favourite measure of the present ruling party of that country, and the same necessity formed the first grounds of the present exertions of Russia; that a principle, thus powerful, should therefore be applied to the encouragement of their enemies, and the discouragement of those colonists in whose fate the honour of the whole empire is engaged, and the interests and fortunes of the petitioners more immediately involved, is to them a source of the greatest alarm; and that the petitioners further conceive, that, in the present war with the United States of America, it is most essentially necessary to make the inhabitants of those states feel the pressure thereof on their trade as an important means of reducing their government to sentiments of moderation, for, should the war be unfortunately protracted so as to enable those states to form a disciplined army, the petitioners cannot but apprehend, from their great numerical superiority, the eventual loss to this kingdom of all its North American colonies; and that the petitioners beg leave humbly to represent that, independently of the various evils which they have specified as likely to arise from the proposed measure, it appears to them that no adequate motives can be assigned for the adoption thereof; it is a well-known fact, that the balance of debt is at present greatly in favour of the United States against this country, and therefore the proposed measure cannot be necessary for obtaining payment of debts due from American citizens to British subjects, nor yet for realising property or effects belonging to British subjects in the United States, since the amount of British property in that country is by no means equal to the amount of American property in this; neither does it appear to the petitioners, that the proposed measure can be necessary to prevent other countries being supplied with the raw materials of our manufactures below the rate at which this country can procure them, for, although the blockade of the ports of the United States may not be adequate to prevent all trade in the produce and commodities of those states, it is fully sufficient to enhance the rates of freight and insurance so much as to prevent their produce being exported at such rates as either to interfere with British manufactures, or to afford any material encouragement to the industry of those states; and praying, that the importation from an enemy's country of any goods or merchandize, the produce of such country, and more especially of ashes, staves, and wood of any kind, from the

United States of America, may be prohibited, or that such other remedy may be applied, as to the House shall seem meet."

Ordered to lie upon the table.

ADMIRALTY REGISTRAR'S BILL.] The House resolved itself into a committee on the Admiralty Registrar's Bill, when several clauses were brought up and read.

Sir *W. Scott*, after some remarks upon the mode in which this Bill had been introduced, proposed two additional clauses. 1. To exempt from the operation of the Act the Instance Court of Admiralty, on account of the smallness of the sums in dispute in the suits there pending. 2. To continue in the hands of the Registrar of the court of Admiralty, constantly, the sum of 10,000*l.* to defray the necessary expence of stamps, &c. &c.

Mr. *H. Martin* did not oppose the clauses, taking it for granted that the representation of their necessity was correct; but he did not exactly see how so large a sum was requisite.

Sir *W. Scott*, in reply, adverted to the inconvenience that would result from the payment of all small sums into the hands of the governor of the Bank of England, and adduced this as a reason in support of both his clauses.

Mr. *Whitbread* thought that small sums could be as easily paid into the Bank as large amounts.

Mr. Stephen and sir John Nichol supported sir W. Scott's clauses, and after a short conversation they were agreed to, the judge of the Admiralty undertaking that no more than 10,000*l.* should remain in the hands of the Registrar.

The Report was then brought up, received, and ordered to be taken into further consideration on Friday.

HOUSE OF COMMONS.

Wednesday, May 19.

LEATHER TAX.] Mr. *Benson* rose to put a question to the right hon. the Chancellor of the Exchequer. He was desirous of ascertaining for the satisfaction of the public, whether it was the intention of the right hon. gentleman, after the vote of the House last night, to oppose the Bill, the second reading of which stood for to-morrow.

The *Chancellor of the Exchequer* said, that though he did not know by what authority the hon. gentleman thought he had a right to question him upon that subject, yet he had no objection to state, that he did not conceive the question decided by the vote which had been given, and should certainly oppose the progress of the Bill.

IRISH FINANCE.] Mr. *O'Hara* rose, in pursuance of his notice, to bring forward a motion relative to the Finance of Ireland, but the hon. gentleman spoke throughout in a tone so inaudible in the gallery, that we cannot attempt to give even an outline of what he said. We understood him to object to the Report of the Finance Committee as incomplete, and to complain of the violation of the 7th Article of the Union; and he entered into a variety of calculations to prove that Ireland paid a proportion greater than the amount contemplated at the period of the Union. The hon. gentleman concluded with moving, "That the Report which, upon the 22d of July 1812, was made from the Select Committee, to whom the several accounts and papers presented to the House in 1811, relating to the public income and expenditure of Ireland, were referred, be referred to a committee."

Mr. *W. Fitzgerald* thought the referring it to a committee was quite unnecessary. The 7th Article of the Union had been much misrepresented by the hon. member, indeed his construction of it was in direct opposition to that which had been put on it by parliament itself. The points enforced in support of this motion had already been fully discussed in the committee, and he, therefore, could not think that the House was called to acquiesce in the proposition for referring it to a committee.

Sir *J. Newport* could not approve of the construction put on the 7th Article of the Act of Union by his hon. friend, and therefore could not support his motion; but he certainly thought that the question respecting the ratio of contribution on the part of Ireland worthy of inquiry, and he should take another opportunity of speaking on that point.

Mr. *O'Hara* replied, after which the motion was negatived without a division.

ROMAN CATHOLIC RELIEF BILL.] On the motion of Mr. Grattan, the House resolved itself into a Committee of the whole House, to consider further of the Bill to provide for the removal of the Civil and Military Disqualifications under which his

Majesty's Roman Catholic subjects now labour.

Mr. *Canning*, in bringing up some new clauses, observed, that in them he had endeavoured to combine and meet the views of most of those with whom he had had communication on this most important subject; and he had been particularly anxious to avail himself of the suggestions of a noble lord (Castlereagh), and he hoped he had been successful. He trusted, that he had now succeeded in arranging effectual securities, not only for Protestant, but also for Catholic freedom. He should not now detain the Committee for the purpose of explaining his clauses, except it was desired; but should wait, as had been previously arranged, until the whole had been printed, and had regularly come to the hands of every member.

Mr. *Plunkett* observed, that in the present state of the Bill, he should not occupy much of their time in expressing his complete approbation of all that was now before them; but if the Committee would pardon him, he would trespass on them for one moment, as this might be the last opportunity he should have of addressing them on the present subject, as he was about to absent himself from this part of the kingdom for some time. He had paid the greatest attention to the clauses just proposed by the right hon. gentleman as well as to the labour of the right hon. gentleman (Mr. Grattan). He was happy to say, that the entire of the clauses as they now stood, had his most cordial approbation. More he would not say on the present occasion, but he was rejoiced to see that the right hon. gentleman had succeeded so well in the accomplishment of the two great objects of the measure—security to the principles and establishments of the Protestant, and also to the free exercise of the opinion of the Catholic, at the same time that he was admitted to participate in the benefits of the constitution. It was his opinion, that those objects had been most clearly and satisfactorily accomplished by the Bill in its present state—that such securities had been proposed as ought to satisfy even the most jealous of the Protestants, as well as the most inimical amongst the Catholics. In thus briefly stating his cordial approbation of the whole of the clauses, he could not sit down without expressing his hope, though he might not be present in his place to support the Bill, that he might not be useless in promoting its objects, and in more clearly explaining its views in the country to which he was going.

Lord *Castlereagh* expressed his concern at the intended departure of the hon. member who had just spoke; but he drew some consolation from that circumstance, as it was to be hoped that the hon. member would endeavour to remove those false impressions which had been made on the minds of some persons in Ireland, respecting the nature of the Bill. Now that he was on his legs, he could not but bear testimony to the success which had attended the right hon. member's (Mr. Canning's) endeavours to meet his (lord Castlereagh's views in the clauses which had just been presented; and he hoped, in the progress of the Bill, that he should be able to give his cordial support to the Bill: at present it had his concurrence.

Mr. *Lockhart* thought that further time ought to be given for the consideration of the new clauses, as they would not be printed for two or three days, and on Monday they were to be discussed. He wished for further time, not only on account of members of that House, but also on account of the people of England. He disliked precipitation on a subject of so much importance.

Mr. *Canning* had no objection to go into a full explanation of all his views in proposing the clauses, if the Committee wished him to do so at the present moment: but he had conceived it to be understood that nothing would be said that night that could call forth any thing like debate; that the clauses would be proposed *pro forma* for the purpose of having them printed, which would be done in twenty-four hours, and therefore he had abstained from any thing like remark or explanation. But at present, he really thought the House was not in a state to go into that explanation, and as there were only shades of difference between many of the friends of the Bill, imperfect statements might have an injurious effect, and which could only be avoided by waiting till the clauses were printed and in the hands of every member. The time occupied by the printing would be very short, but he was ready to give full explanation now if required.

Lord *Castlereagh* thought, that on so delicate a subject, explanation at the present moment was very unadvisable; that it would be much better to wait till the clauses should be printed.

Mr. *Ryder* differed from his noble friend. He thought some explanation of the clauses ought to be given, before the House came to the discussion of them. They had just received clauses which would not be printed, perhaps, before Saturday; and on Monday they were to be discussed. The subject was one of delicacy—but ought it therefore to be so precipitated? The clauses might be of great length; and they ought first to be printed, then to be explained after they were in the hands of the members, and further time ought to be given for the discussion of them. He could not but express his regret at the intended departure of an hon. member opposite (Mr. Plunkett), though, possibly, he might have reason to dread his talents; yet he could not but regret that the House would not have the benefit of those talents in the further discussions that might take place on the Bill. Though that hon. member had expressed his cordial approbation of the entire of the clauses, he (Mr. R.) still retained the opinion which he had already expressed against the principle of the Bill; and he had little hope that any thing would be adduced which could induce him, in the future opportunities which he should have of expressing his sentiments, of altering the opinion which he had already given.

Mr. *Canning* stated, that the clauses would be ready for every member long before Saturday; that they would be printed by to-morrow evening at latest; and therefore the complaints that had been made were not well founded. He, however, could not but express his hope, as well as his firm belief, that the endeavours of the right hon. gentleman to disparage the Bill would be futile, especially as the attempts had been made in a somewhat irregular manner, at a moment when it was understood on all sides that nothing should be said this night that could call forth any thing like debate.

The clauses were passed, as having been read a first time, after which the House resumed, when the Chairman obtained leave to sit again on Monday next.—Ordered to be printed.

HOUSE OF COMMONS.

Thursday, May 20.

PETITION OF COTTON SPINNERS OF PAISLEY.] Mr. Finlay presented a Petition from the cotton spinners, manufacturers, and merchants, and others interested in the cotton trade, in the town of Paisley, and the vicinity thereof; setting forth,

"That the cotton manufacture is by far the most extensive and important branch of trade carried on by the inhabitants of that part of the country, and particularly that part thereof consisting of fine and fancy muslins, which the petitioners humbly presume is no where else manufactured either in similar perfection or to the same extent; in this manufacture the great proportion of their capital is embarked, and on it all classes of society most materially depend for support: and that viewing, therefore, the preservation and prosperity of the cotton manufacture as of vital importance, not merely in regard to that district, as altogether dependent upon it, but as intimately connected with the welfare of the British empire, the petitioners view, with serious alarm, and apprehension of danger to the prosperity of the trade, a prohibition of, or other regulation restricting the importation of cotton wool, the growth of the United States of America, because the petitioners humbly conceive that such prohibition would effectually check and destroy that valuable manufacture, as they almost exclusively, or at least in a great measure, depend on the regular supply of this description of the raw material for enabling them to carry on the manufacture, especially of the finer sorts of cotton goods, in the manufacture of which no other kind of cotton can be substituted for that of the United States, while its exclusion would accelerate and encourage the introduction of the manufactures enjoyed by this nation into foreign countries; and that by the Act of 49 Geo. 3, c. 98, for repealing the several duties of customs chargeable in Great Britain, and for granting other duties in lieu thereof, a duty was imposed upon cotton wool equal to *2d.* per pound weight, if imported in British-built ships, and *3d.* per pound weight if imported in ships not British-built; and that the operation of this law is prejudicial to the manufactures of our country, and as such has been felt sensibly by the petitioners, in so much as it has increased the price of the raw material, and consquently reduced in the same proportion the price of labour, so as, upon the whole, to meet the level of foreign markets; and that, while the petitioners are placed in a situation to compete with foreign manufacturers upon equal terms, and free of legislative restrictions on the raw material, they are satisfied that no rivalship can disappoint their hopes; but, on the other hand, they have reason to apprehend fatal danger to their trade, were the importation of American cotton, so indispensibly necessary for carrying on their trade, to be restricted, or they denied the requisite supply of that article, while the manufacturers of other nations should labour under no such restraint or disadvantage; and, instead of checking the British manufacturer in his exertion to increase and export the manufactures of our country, by increasing the difficulty to procure the raw material, or totally excluding it, the petitioners submit that it is expedient to permit them to enjoy every possible facility, at the present crisis, to come into competition with the manufacturers of America and the continent of Europe upon equal terms; for, besides the natural advantages enjoyed by the manufacturers of America in procuring the raw material at a cheaper rate than those of this country, the difficulty of being regularly supplied with British goods, of late years, as they formerly were, has of necessity given birth there to similar cotton manufactures with those once exclusively the boast of Britain; and that the petitioners have also good grounds for believing that, during the period of the exclusion of British goods from the continent, the improvement of their manufactures, especially in Prussia, has been so considerable, that they are now able to supply themselves with all but perhaps the finer fabrics of cotton goods, and these too must very soon be manufactured there and in America, if once driven from this country by any exclusion of the raw material, which they continue to enjoy unrestricted and at a cheaper rate; and praying the House to investigate minutely this important subject before adopting any measure relative to it, and particularly to guard against the adoption of any measure which, even in the remotest consequence or tendency, can aid the interests and exertions of our rivals on the continent, or our enemies in America, to supplant the cotton manufacture of Great Britain, or which may, in any manner, prejudice or lessen the demand for British muslins in foreign markets, on which almost entirely depend the welfare and existence of this great source of imperial wealth."

Ordered to lie upon the table.

PETITION OF WORKINGTON AGRICULTURAL SOCIETY RESPECTING THE CORN LAWS.] A Petition of several members of the Workington Agricultural Society, was presented and read; setting forth,

"That, notwithstanding the great improvements which have been made in agriculture in every part of the kingdom, in the last ten years, amounting in value of produce to upwards of 20 millions, it appears from the unusual high prices of grain in the present year, that even in moderate seasons the produce is not equal to the consumption; and that, from documents on the table of the House, it is shewn that, in the last ten years, the population of Great Britain has been augmented one eighth, or somewhat more than 1,600,000 and this during a period of unexampled pressure, from war and scarcity; and that, independent of the individual sufferings of a large portion of the community, which cannot be viewed without the deepest regret, the enormous sums paid for grain imported from foreign countries has proved a serious injury to the empire; and therefore the petitioners feel themselves justified in calling upon the House to take the premises into its serious consideration, and, with due deference, recommend a revision of the corn laws and a general inclosure act, both which measures they conceive would materially contribute to the security and encouragement of agriculture, and afford the fairest presumption of obtaining a supply of grain of British growth not only adequate to our present necessities, but to the growing consumption likely to arise from the increasing population of the country."

Ordered to lie on the table.

BREACH OF PRIVILEGE—MR. CREEVEY.] Mr. *Creevey* said he thought it his duty to acquaint the House, that he had been obliged, that day, to pay a fine to the King of 100*l.* or go to prison, for a supposed libel contained in a speech made by him in that House. Deeming this a case of the greatest importance for the consideration of parliament, he had drawn up a Petition or Remonstrance on the subject, in which he had given a complete detail of the circumstances of the case, intending to have presented it this night. The time required for extending the narrative in a fair and legible form, rendered this impossible tonight. The Petition and Remonstrance should be ready to be presented to-morrow; and in the mean time he thought himself called on to give this intimation to the House, thereby availing himself of the earliest opportunity of apprising them of the situation in which he had been placed. His Petition and Remonstrance he should present to-morrow, and should then name some other day on which to bring the subject under the consideration of parliament.

Mr. Palmer's Claims.] Colonel *Palmer* moved, "That the Resolution which, upon the 16th of May 1808, was reported from the Committee of the whole House, to whom it was referred to consider of the Report which, upon the 13th of July 1807, was made from the Committee on the Petition of John Palmer, of the city of Bath, esq.; and to whom the Report which, upon the 13th of July 1797, was made from the Committee appointed to consider of the agreement made with Mr. Palmer for the reform and improvement of the Post Office and its revenue, might be read:" —And the same was read accordingly, as follows: "Resolved, That Mr. Palmer is entitled to his per centage on the net increased revenue of the Post Office beyond the sum of 240,000*l.* to be paid him from the 5th of April 1793, and during his life, according to the provisions of the appointment of 1789, deducting the sum of 3,000*l.* a year received subsequent to the 5th of April 1793." He then moved, That the said Resolution be referred to a Committee.

The *Speaker* asked, being a grant of public money, if the subject was recommended by the crown?

The *Chancellor of the Exchequer* said, he had very considerable difficulty on this subject. He was of opinion the claim was unfounded, but as the House had formerly debated and come to decisions upon the question, he did not think it right to withhold from the hon. gentleman an opportunity of bringing forward his motion.

The motion was then put and agreed to; and certain accounts were ordered to be referred to the committee.

Irish Malt Duties' Bill.] Mr. *W. Fitzgerald* moved the order of the day, for the House to go into a Committee on the Irish Malt Duties' Bill. He observed, at the same time, that at the suggestion of several Irish members, he had been induced to raise the duty 3*s.* only per barrel instead of 5*s.* and that he expected to make up the deficiency between the two sums by some new regulations in the collection of the duty, and by new measures to prevent illicit malting and illicit distillation.—On the motion for the Speaker leaving the chair,

Sir *John Newport* rose to oppose it. The statement just made to the House had not in the least altered his sentiments respecting the measure, and he would take the liberty of stating his objections to the House; and if he could be as fortunate as he had been in 1809, when he had been the means of preventing a minister from adopting a similar measure, he should consider that he had done an essential service to Ireland. He should first premise, that, however revenue might be wanting in the present circumstances of the country, yet, if revenue could not be procured but by contaminating the morals of the people, it should be instantly rejected with indignation. If he could prove, therefore, that the intended duty would drive the people from the use of beer, to which they were now accustomed, to that of spirits, he was sure he should have the House with him in rejecting the measure. But this was not all: he would prove that this evil would not even be compensated by any increase of revenue, and that the augmentation of duty would reduce the produce of it. This had uniformly taken place since the year 1803 to the present time, whenever any augmentation of duty on malt had taken place in Ireland. The right hon. baronet went into a variety of details to prove his assertion, and produced comparative tables of the amount of the duty laid, and of its actual produce. From these he maintained, that, including the deficiency in the newly imposed duties, there was a deficit of 200,000*l.* a year on the revenue from malt in Ireland. This was a most decisive proof of what he had so often stated to the House, that an increase of tax was attended with a loss, instead of an increase of revenue; and yet, with these facts staring the House in the face, they were called upon to add full 50 per cent. to the malt duties in Ireland. The right hon. baronet then compared the rate of duties on malt in England and in Ireland, and maintained, that there was no proportion. In 1809, when distillation was stopped in Ireland, the breweries alone paid 411,000*l.* malt duty, exceeding by 50,000*l.* the aggregate amount of duty paid before by breweries and distilleries together. The House should view, with great jealousy, any attempt to deprive the brewers of the advantage they had thus acquired, and to force the people of Ireland again to the use of spirits. The House and the country wished to see that people peaceable; they wished to see them acquire habits of industry, and to see them improving in their morals; all those prospects would be destroyed by the constant use of spirits; and, under those circumstances, could even the tax prove productive, which it would not, it ought to be rejected as injurious to the peace, prosperity, and morals of the country. He trusted that those statements, which three years ago had induced a House of Commons to reject a similar tax, would induce the House to adopt a similar conduct in the present instance. The principles were the same, and unless the right hon. gentleman opposite could prove that since that period circumstances had so far changed that the tax would now prove productive, without being injurious to the manners of the people, he trusted that the House, the guardians of the public purse, and no less so of public morals and public peace, would reject the measure altogether.

Mr. *Shaw*, of Dublin, coincided entirely in opinion with the right hon. baronet, and adverted to the Petition from the brewers of Dublin, referred to a committee of the House, when the late advance on the malt duty had taken place, representing the losses they had suffered, and the misery of the people from the use of spirits.

General *Mathew* could not allow the measure to pass without saying a few words. From the advices he had received from Waterford, Limerick, Cork, Clonmel, Fermoy, and several other towns in the south of Ireland, he was sure that the intended tax would ruin the brewers, whose trade was so flourishing, and who manufactured so good a beverage, that a great deal of it was imported into this country. He was sure that the representatives of that part of Ireland would not vote with the right hon. gentleman on this occasion. No one who knew that country but was well acquainted with the happy effects which had been produced by the diminution in the consumption of spirits; riots had been gradually diminishing, and the people were rapidly assuming habits of order, cleanliness, and sobriety. All this would be now done away, for although the right hon. gentleman had proposed to reduce his intended duty, from five shillings to three, still porter would be too much raised in price by that duty to become the beverage of the people, and they would be supplied with spirits from illicit distillation. Thus would their morals be ruined, as well as their health, and also that of the rising generation. The right hon. gentleman himself seemed to have seen the deficiency of his system, by proposing already to reduce his intended duty from five shillings to three; but upon the same principle it was equally fair to reduce it to one, or rather to leave it as it was. The right hon. gentleman had certainly stated very fairly, that he was ready to abandon that tax for any other that could be pointed out to him, and he was sure that if he would turn the subject in his mind, and delay the measure for a fortnight, it would prove satisfactory.

Mr. *William Fitzgerald* refused the proposed delay, and was induced to offer himself thus early in the debate to the notice of the House, with the firm hope of being able to prove satisfactorily to the House, that the tax would not be injurious to the morals of the people—an effect he deprecated and abhorred as much as any man—and that it would not prove unproductive. He had consented to reduce his intended duty, from five to three shillings, at the suggestion of several Irish members, to whose opinion he was glad to give way, and expecting to be able to make up the deficiency by new regulations, and by the prevention of illicit distilleries; but little had he expected, that this modification of his plan, adopted only from a conciliatory disposition, could be used, as it had been, by the hon. general, as an argument against the very principle of the measure. But it was his fate to be frequently liable to similar animadversions; thus he had been accused of a wish to smuggle the present Bill through the House, by the very persons at whose suggestion he had introduced the Irish business earlier in the session, in order to give more time for discussion, and when the Bill had still five stages to go through, a number, he was sure, quite sufficient for the most immoderate debater. The right hon. baronet said, that the paramount duty of every government, and of the House, was to protect the morals of the people; he entirely approved of that doctrine, it was self-evident, and did not in consequence require much comment; but the next duty of a government was to provide a revenue for the exigencies of the state; and it was not fair to impede the measures proposed for that purpose by vague assertions, that they militated against the morals of the people. If the discussion of this Bill had come after his annual statement of the Irish Finances, the House would have been aware of the narrow limits to which taxation was reduced in Ireland. By the articles of the Union, no duty could be laid in Ireland on any article not liable to one in England, nor were the duties to be higher in Ireland, than in England. The customs were equally limited; for the four-fifths of the imports came from England, and on those they were precluded from laying a higher duty than ten per cent. *ad valorem.* It was the case in England—indirect taxation was in a measure unlimited, and they had besides the resource of war taxes and direct taxation. He wished gentlemen to look fairly into the question; and they would see, that to obtain their assent he had only to prove, that the tax would not prove injurious to the morals of the people; for they had only the assertion of the right hon. baronet to say that it would be unproductive, and he saw no reason why his own assertion to the contrary should not have an equal weight. The right hon. gentleman then entered into a variety of details, and produced a variety of documents to prove that the statements of the right hon. baronet as to the unproductiveness of the malt duties in Ireland were founded on misconceptions. He then refuted, with much warmth, the accusation thrown against the Irish government, that, to raise a revenue, they were ready to sacrifice the morals of the people. The bare assertion of so foul and so vague a charge excited his utmost indignation; but the fact was, that the present duty on malt would increase the price of porter only three farthings a pot; that since the time to which the right hon. baronet had alluded, the duty on spirits had been doubled, and that the present duty would equally extend to breweries and to distilleries; and there could be, of course, no reason to apprehend that the people should be driven to the use of spirits. As to the new duty affecting the exports of porter from Ireland, it hardly could be the case, since the whole of the drawback was to be allowed on exportation: and he could not conceive that the trifling duty on the internal consumption could ruin the brewers, as had been stated by the hon. general opposite. After a variety of other observations, the right hon. gentleman mentioned his intention of proposing to-morrow to the House, to name a committee to enquire into the causes of illicit distilleries in Ireland, and to devise the best means of preventing it. On this occasion, he would recommend the most important choice of the members intended to form the committee, as it might be found necessary to renew the law lately abrogated to make districts and counties answerable for the penalties, a step which no minister would take without the sanction of a committee of the House of Commons.

Mr. *D. Browne* saw no other remedy for illicit distilleries, but the renewal of that law, which would have proved effectual, if continued in force.

Mr. *French,* on the contrary, deprecated the renewal of that law as most oppressive, the county of Cavan having at one time 35,000*l.* penalties to pay.

After a few words from Mr. Peel, the House divided on the question for the Speaker to leave the chair. For the question 110; Against it 36, Majority 74.—The House then went into a committee on the Bill.

American Loyalists.] Mr. Lockhart moved, "That the Report which, upon the 1st of March last, was made from the Committee to whom it was referred to consider of the Report which, upon the 25th of March 1812, was made from the Committee on the petition of the several persons whose names are thereto subscribed, on behalf of themselves or others, whose claims have been judged good by the commissioners appointed by the act of parliament passed in the 43d year of his Majesty's reign, intituled, 'An Act for appointing commissioners for distributing the money stipulated to be paid by the United States of America, under the convention made between his Majesty and the said United States, among the persons having claims to compensation out of such money,' and who were empowered to report their observations thereupon, might be read;" and the same being read; the hon. gentleman rose, he said, to move, "That the petitioners have established such a case as forms an equitable ground for parliamentary relief." It was well known, that before the war with America, in 1776, great debts were due from the Americans to this country. A provision was made by the treaty of Paris, that the

American courts should be open to those claims of British subjects; but notwithstanding that treaty, those claims were not allowed to be entertained by the American courts of justice. Remonstrances to the ministers of this country accordingly took place, in consequence of which there was another treaty entered into with the American government, called the Treaty of Peace, Amity, and Commerce, and those claims were put into a state of adjustment; but before any final decision was come to on them, it happened that a war broke out with France, and in consequence of some illegal captures of American vessels having been made, the consideration of the former claims had been interrupted, so that no adjustment had taken place from 1782 to 1800. He hoped, however, that from the claims having been so long disregarded, no member would suppose that the importance or justice of them was lessened. On the contrary, he thought it ought to add to their weight. The merchants here who had these claims had repeatedly pressed them on the consideration of ministers, and had shewn that they amounted to no less a sum than 2,000,000*l.* In consequence of these applications, another treaty had been entered into, and commissioners had been appointed to consider the claims, and to determine on their validity. Those commissioners had agreed to take, in lieu of the sum of 2,000,000*l.* a compensation very much below that sum, viz. 600,000*l.* but this was done without any application to, or consent given by the claimants. They in consequence remonstrated, and told ministers they had been deeply injured. Mr. Addington, who was then the prime minister, advised them not to bring forward their claims at that time, and he would take care they should not suffer by their forbearance. This convention had been made just after the peace of Amiens, and it was supposed that ministers, from a fear of being drawn into fresh hostilities with the First Consul, if they insisted on the Americans instantly fulfilling the terms of the treaty, had induced Mr. Addington to advise the merchants of this country to forego, at that time, pressing any farther their claims, in which they had incurred a loss of 840,000*l.* He believed it was well known the sovereign had, in certain cases, a right to wave the consideration of the rights of particular subjects, where the grand and essential interests of the state came in competition with them, and demanded a preference; but it was at the same time always understood, that the subjects, so obliged to give way, had an undoubted claim to remuneration from the public, whose interests they had been obliged to give way to. The amount of the illegal captures from the Americans was stated to be 1,400,000*l.* and this had been so mixed up with the American claims from the merchants here, as to induce the commissioners to strike a balance of 600,000*l.* for the claims of the merchants; and as this had been done to forward and promote the interests of the state, by a sacrifice of the interests of the merchants having individual claims on America, the question was, whether ministers, by having sanctioned the act of the commissioners, in thus blending the claims of individuals with those made against the state, and thus striking a balance between them, had not given the strongest proof, that nothing but the highest interests of the state, had induced them to do so; and having done this for the interests of the state, to the great injury of the claimants, they had an undoubted right to expect to be remunerated from the public purse. He knew it had been suggested, that the loss had been occasioned by war, and that losses by war were not compensated; but it might be recollected, that this claim had been of many years' standing, and by being mixed up with the claims against government for illegal captures, with which the merchants, who had those claims long before the war, had nothing to do, this loss had ensued by the act of the government, and not by any consequence of the war; for those claims had accrued many years before the war commenced. In the cases of Florida and Georgia, and the settlers on the Musquitto shores, compensations had been made; and it was universally allowed, that where, from the necessities of the state, the protection of the subject was given up, compensations ought to be, and had generally been made. Whatever the House might think proper to give, either on the ground of compensation or relief, the claimants would be ready thankfully to accept: and in a case of so much hardship, and where the loss had been sustained for so long a time, he had no doubt of the justice of the House being interposed in favour of the suffering claimants. He concluded by moving, "That the petitioners have established such a case as forms an equitable ground for parliamentary relief."

The *Chancellor of the Exchequer* said, that the proposition laid down by the hon. and learned gentleman was this: that if government failed in obtaining from a foreign state, relief for its own subjects who were sufferers from the acts of such foreign state, those subjects were entitled to relief and compensation from parliament. The claimants complained, that they suffered losses by the convention between the two countries, for which they should have full compensation. Two points to consider were: first, whether government was justified in concluding the treaty of 1802, without obtaining the full relief: and secondly, whether the public was now bound to make good all the losses: but the first branch had been given up. The treaty of 1802 put the claimants in the same state as they were in after the peace of 1784, which stipulated, that no unlawful impediments should be put in the way of claimants in either country respectively; besides which, there had been since obtained for them, a specific sum as a compensation. Six hundred thousand pounds certainly were not all that was claimed; but it did appear from Mr. Glassford's letter, that the claimants would rather receive any sum, than an indefinite claim on the American government under all the circumstances. The recognition of such a claim as the present might open a wide door to similar requests, and might lead to the vesting of British money in foreign funds, in the view of compensation in the event of hostilities. The obtaining a specific sum was deemed more important than the recovery of the terms of the treaty, which could have been but a hopeless remedy. When America, at the peace, became an independent state, the law of nations applied to all transactions concerning her just the same as to other countries. In the case of the Swedish convoy there was a difference, as the property became the right of the captors. The question of the Spanish claims rested also on different grounds. On the whole, he thought that acceding to these claims would tend to much inconvenience, which could not be prevented.

Sir *Thomas Baring* said, that he differed entirely from the right hon. gentleman who had just sat down; and he thought the right hon. gentleman must have done great violence to his feelings, to oppose so just and equitable a claim.—He said he had come down to the House without any idea, on what ground this motion could be opposed. He restated the facts which had been detailed, and observed, that whenever the claimants had been questioned by lord Grenville as to the amount of the commutation they would accept, their minimum was always two millions. The claims, he remarked, were originally five millions, and the ground on which the petitioners now came forward, was, that the public ought not to obtain the advantages they had obtained, at the expence of individuals. The hon. baronet read a passage from a letter of lord Grenville, in order to shew, that the construction put upon the article in the treaty of 1782 by the right hon. the Chancellor of the Exchequer was not correct. The sum of 600,000*l.* could only have been accepted by the British government in compensation for a claim so much larger, on national ground, and with a view to other political considerations. He had himself no interest in the determination of this question, but he conceived that a strong claim of equity had been made out for the consideration of parliament. With respect to what had been said by the right hon. gentleman, as to the courts of law being open in both states, he begged to observe, that lord Hawkesbury, in the negociation of 1802, considered the compromise then entered into as the real settlement of the claim in question.

Mr. *W. Smith* said, he never rose from the consideration of any case with a stronger conviction of its justice, than from that of the Petition of the present claimants. The case of the Swedish captors was, he contended, substantially the same as that before the House, though some technical difference might be stated by some better jus-publicist than himself. By the convention of 1794, the British claimants on America, and the American claimants on this country were put on the same footing, while in pursuance of it, the American claimants received the amount of the whole of what was due to them, and our own claimants only 600,000*l.* in lieu of two millions. It was derogatory to the national honour to suppose that this was permitted, unless for the sake of some preponderant advantage to the country. And were, then, individuals to suffer for the good of the community without being indemnified? He admitted that in the case of the Spanish claimants, Mr. Pitt would not allow the right of the claimants, which was urged by them, but the remuneration of these claimants, was brought forward to support the capture of the four Spanish frigates, one of the worst acts of Mr. Pitt's administration. A disadvantage these claimants laboured under was, that their case was suffered to remain unheard until it was forgotten, and then the claimants, having lost even the support of hope, had to come forward, though in reality with a tenfold claim on public favour, under the most disadvantageous circumstances. The petitioners had not only suffered very considerable loss, but all that anxiety which proceeded from protracted delay, and hope long deferred. Nothing appeared to him to be urged against the motion but a dubious point of national law, which could not be applied to the consideration of an equitable claim.

Mr. *Bathurst* opposed the motion, on the ground that the British government had ineffectually done all that was in its power to enforce the demand of the claimants, who were now left to what he admitted to be the futile remedy of application to the republican courts of justice. He thought if the claims were acquiesced in, that a precedent would be formed which would entitle all those who might become sufferers by the improvidence of the government of the day, to come forward, and make a demand of this nature from any succeeding government, which he could not consider in any light but that of a great hardship. He was disposed to admit that the case of the present claimants was one of great severity, but still he must express it as his decided opinion, that they had no claim upon the liberality of parliament. This being his opinion, he should conclude by moving the previous question.

Mr. *Whitbread* reprobated in very pointed terms the main ground on which the right hon. the Chancellor of the Exchequer had refused his compliance with the motion, namely, that the sum demanded was large :- if the claim was just, and these unfortunate individuals were deprived of their due, the more enormous the amount, the more flagrant was the injustice, the more severe the cruelty of continuing to deprive them of their right. He thought that if precedent were formed by acquiescing in the present claims, no valid objection could be grounded upon such a circumstance. If ever there was a claim which had a paramount right to be attended to, it was one like the present, where the interest of the claimants had been sacrificed to the public welfare. It might, indeed, be objected, that to acquiesce in it would be to open a door to speculation, and that by virtue of the precedent that would be established, a person disposed to speculate in the French funds might, in the event of their failure, come forward to the House of Commons with a complaint of his imperial majesty having broken faith, and sue for compensation. But this would not be a case which could rest upon such a precedent. The claimants rested their pretensions on the best principles of national honour and national justice. In looking at the claims advanced, and at the peculiar difficulties under which the claimants laboured, gentlemen seemed to forget that there did not exist at that period any funded system in America. Lord Grenville had said, when remonstrances were made against, and indemnity required for, the illegal captures made by the ships of this country, that he was ready to discuss the subject, when the debts due to private individuals were paid. This doctrine he maintained, because he felt it to be the duty of government to support and enforce the claims of those who had acted under the direct sanction and guarantee of its protection. But what was the conduct of lord Hawkesbury? He accepted 600,000*l.* without the consent of the claimants, because they could not, in justice and equity, give up the sum to which their right was uncontested, and which amounted to 1,400,000*l.* The agreement between the two governments was strictly reciprocal, and if that of America had broken faith, it formed no reason why individuals should suffer. He could not admit that there were two points to be considered, as had been observed, first the magnitude of the sum; and secondly, the equitable nature of the claim. That mode of treating the subject was one which, he trusted, would never be sanctioned by an English legislature. The first consideration was the equity of the case; and if that were clearly established, it mattered not what might be the magnitude of the sum. If the House of Commons proceeded otherwise, he should not hesitate to say, that it would at once become bankrupt in resources and bankrupt in honour.

Mr. *Wilberforce* supported the motion in an argumentative speech. Whether he considered the claims as those of individuals, or as connected with the state, they were equally entitled to relief. According to Vattel, sovereigns might dispose of the property of the subject, but then it became the duty of the government to provide indemnity, and to give satisfactory compensation. In the agreement made by lord Hawkesbury, to take the 600,000*l.* without the consent of the claimants, whilst they demanded 1,400,000*l.* he could discover nothing like indemnity or compensation: he combated the arguments of his right hon. friend, the Chancellor of the Exchequer, who, in his opinion, had been imposed upon, for he was sure he would ever be foremost to concede what was actually due, provided it was consistent with his duty to the country. The present was a question of right and not of policy, and if the sum of money demanded was large for the country to pay, it was large for the individuals to be deprived of. He referred to the article of the treaty, and contended that the British government had not done all that became a great and generous nation. The claim was equitable, and although the petitioners might require much more, their patience had been exhausted, their fortunes had been ruined, and they now were willing to take any thing that would be offered. He ridiculed the futile remedy of applying to the American courts when documents were lost, witnesses dead, and hostilities pending. He deprecated a refusal of the claims; those who made them came forward relying, perhaps, more on the liberality than the justice of parliament, with spirits worn down and exhausted, suffering under that "hope deferred which maketh the heart sick;" and he trusted they were not doomed to experience ultimate disappointment.

Lord *Castlereagh* was quite disposed to admit, that if the justice of the claims were once established, the magnitude of the sum claimed could form no objection to its being granted; but he could not recognise the justice of it, nor could he admit that liberality was a virtue which parliament could exercise in granting without, at the same time, becoming guilty of very great injustice to the public. If, moreover, they did exercise such liberality, it would have a tendency to preclude the government from hereafter entering into any contract with a foreign state, on behalf of persons of this realm trading to it; and thus a few individuals would be now served at the expence of a future injury to a considerable class in society. It had been asserted, that there was manifest injustice in the debts on one side being paid, while on the other so heavy a loss was suffered to be incurred. On this he had to remark, that the state had become debtor in this case, inasmuch as the government had authorised the capture of American vessels, and they were accordingly bound to make compensation; but the claims now brought forward were founded on transactions between individuals, transactions with which the government had no necessary concern, and with respect to which they could not with propriety have made any further stipulation, however anxious they might be to do so, with the American government on behalf of the persons concerned, than that the courts of law in the United States should be open to them. If it were to be laid down as a rule that a government should never go to war without incurring such a responsibility as they must incur if the present claims were just, that would be little short of an effectual prohibition to go to war at all. In the present instance, he would repeat, the one agreement was between state and state, the other between individual and individual; it was true the American government had guarantied the present claimants at the instance of this government, and it reflected much disgrace on them that they had not fulfilled what they had thus undertaken, but no stigma could attach to the government here, who had done all they were bound to do in interfering as they had done. There was no ground for assuming that when by their voluntary exertions they had procured 600,000*l.* the balance which remained should be necessarily charged on the country; he conceived, therefore, that his hon. friend had gone too far in requiring from the liberality of the House an acquiescence in the claims now preferred. As to the justice of the case, if that were acknowledged it would, as he had already observed, tie up the hands of government from any beneficial interference with a foreign state on behalf of the mercantile classes of the community.

Mr. *Findlay* spoke in favour of the motion. He felt for the situation of the claimants, a very great number of whom he represented; but he felt more for the justice and honour of parliament. Upon an attentive consideration of their case he could conceive none that had more equitable foundations.

Mr. *Marryat* observed, that in questions of this nature, respecting claims of individuals, the members of that House were always exposed to a considerable deal of private solicitation. After bestowing a good deal of attention to this subject, he must say, that it appeared to him that the claim was not well founded. He would ask, what was the real value of those debts acknowledged due in 1782, but of which not a farthing had been received in 1794. Yet it was on account of those bad debts that 600,000*l.* had been obtained in 1794, but that was now sought to be made a foundation for a much larger claim upon this country. He thought that many other merchants who had suffered by the ill faith of foreign governments, had an equal right to claim compensation from the government of this country.

Mr. *Lockhart* replied, that if the debts had become desperate in 1794, America on that account owed a reparation to this country, which if government did not think proper to insist upon, individuals ought not to suffer upon that account.

The House then divided. For the motion, 87: Against it, 100: Majority 13.

LEATHER TAX.] Mr. *Benson* moved the second reading of the Bill for repealing the Tax on Leather.

The *Chancellor of the Exchequer* opposed the motion. He contended that the repeal could not produce any public benefit, but would only be advantageous to a few individuals. A much greater alleviation would be produced by the repeal of other taxes, such as the tax on houses and windows, or that on coals, which operated with a grievous inequality in the metropolis. He had every hope of the most beneficial results from the plan of finance which he had the honour of submitting to the House, but at present the country was far from being able to spare any of the existing revenue, which in the last year fell short of sixty millions, whereas in the preceding one it had amounted to 61,300,000*l.* This, however, was not a subject for alarm, as it might have proceeded from temporary causes; but it showed the necessity of resisting private solicitations for the repeal of a tax which was as little burdensome as any that could be substituted for it. Previous to the death of Mr. Perceval, that excellent person had it in contemplation to lay a tax on private breweries; and though all who heard him were well acquainted with the amiable and benevolent character of Mr. Perceval, and his unwillingness to increase any pressure on the poor, yet he had thought of imposing this tax on private breweries in the nature of a licence, at 5s. a head of each person in a family. The Chancellor of the Exchequer said he thought the tax would have borne too hard upon the poor, and conceived the present would be of milder operation. The evidence, as far as he had examined it, appeared to him to establish ground for varying the mode of collecting the duty rather than repealing the tax. It did not appear that the tanners had suffered, and the distress of the shoemakers arose from the general state of trade and not from the pressure of the tax. He hoped, however, that the revival of our intercourse with the continent would effect what the motion of the hon. gentleman was not likely to do. The want of South American hides did not arise from the tax, but from the troubles in the river Plate. The deficiency stated to exist in the amount of the tax was always the case with a new tax, and he, therefore, only asked for one year's trial of it, seeing that artificial combination and other causes now tended to decrease the amount.

Lord *Althorpe* recapitulated some parts of the evidence as substantiating the facts which had been advanced in opposition to the tax, and charged ministers with having carried it at a late period of the last session, by a majority of eight, when most of the members had left town. The tanners now appealed from that decision of a part of the House to the judgment of the whole House, and as far as the matter had gone that judgment was in their favour. Were ministers to proceed as they had done with respect to this tax in other instances, it would be virtually to take the right of taxation out of the hands of the House of Commons altogether.

Mr. *G. Phillips* supported the motion. The present tax he considered highly objectionable; it was at variance with the true principle of taxation, as the sum which it produced to the Treasury bore no proportion to that which it took out of the pockets of the people, on the lowest orders of whom it fell with the greatest severity.

Lord *Castlereagh* said, he was convinced, if his right hon. friend (the Chancellor of the Exchequer) conceived, that, by a repeal of the tax, he would be substantially acting as the poor man's friend, he would most gladly perform so agreeable a part of his duty: but, on the other hand, he thought the House ought to consider, whether the country could spare such a portion of its revenue; for if this principle of tenderness were admitted here, it might with equal propriety be extended to other taxes, of a far more oppressive nature. In considering the operation of the tax, it was not fair to look only to the shoes of the poor man. Perhaps, on an individual pair of shoes, the duty might be higher than on a single pair worn by a rich man; but then they ought to consider that the wealthy person consumed a much greater quantity, and consequently paid to a larger amount. And, when they recollected the quantity of leather used in carriages, sadlery, and a variety of other articles, which wealth alone made use of, it became a very nice question, whether the tax did not fall as equally on the rich man, as any other which could be devised. The argument of his right hon. friend, that no duty had been imposed on leather since the reign of queen Anne, was worthy of particular attention. For, in selecting an article for a new tax, he thought it was a fair criterion of its propriety, when it appeared, that, for more than 100 years, it had not been meddled with. The great plea of those who opposed the tax was, that they wished to relieve the poor man; but the duty had now lasted sufficiently long, if not to produce the full benefit to the revenue, yet long enough to permit the manufacturer to impose the additional charge on the consumer. And, therefore, in this period, when increased exertion was necessary, and when the difficulty of finding new taxes was greatly augmented, if they repealed the leather tax, they would be obliged to lay another equally oppressive, without affording any relief to the lower classes of society. Under these circumstances, he should not be doing his duty to the House and to the public, if he did not strongly represent the necessity of continuing this tax.

Lord *Milton* expressed in strong terms, his disapprobation of the pertinacity manifested by ministers on this occasion. He considered it no longer a question between the people and parliament, but between the House of Commons and the Chancellor of the Exchequer. The House having expressed an opinion that the tax should be repealed, it was the duty of ministers to give way to their voice. Tax Bills ought to be carried through the House, not by three, or four, or five voices, but by considerable majorities; if they were not, the people would never bear their burthen with cheerfulness. He hoped the House, on the present occasion, would compel ministers to return to that practice which had always hitherto prevailed.

Mr. *W. Smith* said, that for the thirty years which he had been in that House, he never recollected a single tax, carried originally by so small a majority, and the repeal afterwards called for by so large a proportion of the House, which was ultimately persisted in by ministers.

Mr. *A. Baring* said, it was evident the country must, in some way or other, bear taxation, it mattered not whether it fell on the shoes or stockings. He had read attentively all the documents connected with this subject, and he agreed with the right hon. the Chancellor of the Exchequer, that the tax was as little liable to objection as any other that could be proposed. No great bodies of the people had petitioned against the measure; all the remonstrances came from the tanners, curriers, &c. who laboured under an entire mistake as to the injury they were likely to receive from the tax. He had conversed with persons connected with those trades, who had stated their opinion, that the tax would not operate against them. And it was plain that it would not, as it did not encourage any foreign nation to rival us in the manufacture abroad, nor did it tend to decrease the consumption at home; for he did not suppose it would be argued, that the tax would compel people to go without shoes.

The House then divided, when there appeared—Ayes, 120; Noes, 125; Majority against the second reading, 5.

Ordered, That the Bill to repeal the Leather Tax be read a second time this day six months.

COPY OF THE ROMAN CATHOLIC RELIEF BILL, AS AMENDED BY THE COMMITTEE.] The Roman Catholic Relief Bill, as amended by the Committee, was ordered to be printed, and is as follows:

A BILL

[AS AMENDED BY THE COMMITTEE]

To provide for the removal of the Civil and Military Disqualifications, under which His Majesty's Roman Catholic Subjects now labour.

N. B. *The Clauses (No. 1 to No. 20 inclusive) were added by the Committee.*

Preamble.

Whereas the Protestant Succession to the Crown is, by the Act for the further limitation of the Crown, and the better securing the liberties of the People, established permanently and inviolably:

And whereas the Protestant Episcopal Church of *England* and *Ireland*, and the Doctrine, Discipline and Government thereof, and likewise the Protestant Presbyterian Church of *Scotland*, and the Doctrine, Discipline and Government thereof, are established permanently and inviolably:

And whereas it would tend to promote the interest of the same, and strengthen our free Constitution, of which they are an essential part, if the Civil and Military Disqualifications, under which his Majesty's Roman Catholic Subjects now labour, were removed:

And whereas, after due consideration of the Petitions of the said Roman Catholics, it appears highly advisable to communicate to them the blessings of our free form of Government; and, with a view to put an end to all religious jealousies between his Majesty's Subjects, and to bury in oblivion all animosities between *Great Britain* and *Ireland*, so that the inhabitants of the respective countries may be bound together, in all times to come, by the same privileges, and the same interest, in defence of their common Liberties and Government, against all the enemies of the British Empire.

May it please Your MAJESTY,

Persons professing the Roman Catholic Religion, may sit and vote in either House of Parliament, being in other respects duly qualified, upon taking the following

That it may be Enacted; **And be it Enacted**, by The KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT, from and after the passing of this Act, it shall and may be lawful for persons professing the Roman Catholic Religion, to sit and vote in either House of Parliament, being in all other respects duly qualified so to sit and vote, upon making, taking and subscribing, the following Declaration and Oath, instead of the Oaths of Allegiance, Abjuration and Supremacy, and instead of making and subscribing the Declaration against Transubstantiation, and against the Invocation of Saints, and instead of swearing and subscribing the Formula now by Law required;

OATH.

"I *A. B.* do hereby declare, That I do profess the Roman "Catholic Religion; and I do sincerely promise and swear "that I will be faithful and bear true allegiance to his "Majesty King *George* the Third, and Him will defend, to "the utmost of my power, against all conspiracies and attempts whatever, that shall be made against His person "crown or dignity; and I will do my utmost endeavour to "disclose and make known to His Majesty His Heirs and "Successors, all treasons and traitorous conspiracies, which "may be formed against Him or them; and I do faithfully "promise to maintain support and defend, to the utmost of "my power, the Succession of the Crown, which Succession, "by an Act intituled, 'An Act for the further limitation of "the Crown, and the better securing the rights and liberties "of the Subject, is and stands limited to the Princess Sophia, "Electress and Duchess Dowager of *Hanover*, and the heirs of "her body, being Protestants;' hereby utterly renouncing "and abjuring any obedience or allegiance unto any other "person, claiming or pretending a right to the Crown of "this Realm: I do declare, that I do not believe that the "Pope of Rome, or any other foreign prince, prelate, state "or potentate, hath or ought to have any temporal or civil "jurisdiction, power, superiority or pre-eminence, directly "or indirectly, within this Realm; I do further declare, "that it is not an article of my faith, and that I do renounce, "reject and abjure the opinion, that princes excommunicated by the Pope or Council, or by the Pope and Council, or by any authority of the See of Rome, or by any "authority whatsoever, may be deposed or murdered by "their subjects, or any person whatsoever: I do swear, that "I will defend to the utmost of my power, the settlement "and arrangement of property within this Realm, as "established by the Laws: I do swear, that I do abjure, "condemn and detest, as unchristian and impious, the "principle, that it is lawful to destroy or anyways injure "any person whatsoever, for or under the pretence of such "person being an Heretic: I do declare solemnly before "God, that I believe that no act, in itself, unjust or immoral, "can ever be justified or excused by or under the pretence "or colour, that it was done, either for the good of the "Church, or in obedience to any Ecclesiastical power "whatsoever: I also declare, that it is not an article of the "Roman Catholic Faith, neither am I thereby required to "believe or profess, that the Pope is infallible; or that I am "bound to obey any order, in its own nature immoral, "though the Pope or any Ecclesiastical power should issue "or direct such order; but, on the contrary, I hold that it "would be sinful in me, to pay any respect or obedience "thereto: I further declare, that I do not believe, that any "sin whatsoever committed by me, can be forgiven, at the "mere will of any Pope or of any Priest, or any person or "persons whatsoever; but that sincere sorrow for past sins, "a firm and sincere resolution to avoid future guilt, and to "atone to God, are previous and indispensable requisites to "establish a well founded expectation of forgiveness; and "that any person who receives absolution without these "previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating "a sacrament: I do reject and detest, as an unchristian and "impious principle, that faith is not to be kept with "heretics or infidels: I do hereby disclaim, disavow and "solemnly abjure any intention to subvert the present

"Church Establishment, for the purpose of substituting a
"Roman Catholic Establishment in its stead: I do solemnly
"swear, that I will not use any privilege, power, or
"influence, which I do now or may hereafter possess, to
"overthrow or disturb the present Church Establishments
"of the United Kingdom; and that I never will, by any
"conspiracy, contrivance, or device whatsoever, abet others
"in any attempt to overthrow or disturb the same; and
"that I will make known to His Majesty His Heirs and
"Successors, all attempts, plots, or conspiracies, whether at
"home or abroad, which shall come to my knowledge, for
"effecting either of these purposes: I do solemnly, in the
"presence of God, profess, testify and declare, that I do
"swear this Oath and make this Declaration, and every
"part thereof, in the plain and ordinary sense of the words,
"without any evasion, equivocation or mental reservation
"whatever; and without any dispensation already granted
"by the Pope, or any authority of the See of Rome, or any
"person whatever; and without thinking that I am or can
"be acquitted before God or man, or absolved of this Declaration,
"or any part thereof, although the Pope, or any
"other person or authority whatsoever, shall dispense with
"or annul the same, or declare that it was null and void
"from the beginning. So help me GOD."

Roman Catholics taking the Oath, enabled to vote at Elections of Members of Parliament, without taking the Oaths of Allegiance, Abjuration, or Supremacy;

And be it further Enacted, That it shall and may be lawful for persons professing the Roman Catholic Religion, to vote at Elections of Members to serve in Parliament, and at Elections of representative Peers of *Scotland*, and to be enrolled as Freeholders in any shires or stewartry of *Scotland*, and thereafter to vote in all proceedings of the Courts of Freeholders, and to be chosen Præses or Clerk of such Courts, and to be chosen Commissioner or Delegate for choosing Burgesses to serve in Parliament for any district of Boroughs in *Scotland*, being in all other respects duly qualified so to do, upon making taking and subscribing, either in manner by this Act directed, or at the time and place of tendering their votes, before the Returning Officer or Officers presiding at such Elections (who is and are hereby authorized and required to receive and administer the same) instead of the Oaths of Allegiance Abjuration and Supremacy, and instead of such other oath or oaths, declarations or formulas, as are now by Law required to be taken, for the purpose aforesaid, by any of His Majesty's subjects professing the Roman Catholic Religion, the aforesaid Declaration and Oath; and also, upon taking such other oath or oaths as may now be lawfully tendered, to any person or persons offering to vote at such Elections: Provided always, That nothing herein contained shall disable any Person professing the Roman Catholic Religion, and now entitled to vote at such Elections in that part of the United Kingdom called *Ireland*, from voting accordingly.

And to hold Civil and Military Offices, with the Exceptions thereinafter expressed, without taking the Oaths against Transubstantiation and against the Invocation of Saints, or the Formula, or other Oath or Oaths now by law required.

And be it further Enacted, That it shall be lawful for persons professing the Roman Catholic Religion, to hold exercise and enjoy all Civil and Military offices or places of trust or profit, under His Majesty His Heirs or Successors; except as hereinafter excepted; upon making taking and subscribing the aforesaid Declaration and Oath, instead of the Oaths and Declaration against Transubstantiation, and against the Invocation of Saints, and instead of the Formula now by Law required; and instead of such other Oath or Oaths as are now by Law required to be taken for the purpose aforesaid, by any of His Majesty's Subjects professing the Roman Catholic Religion; and upon taking also such other oath or oaths as are now by Law required to be taken, by any person or persons, on his or their admission into any such office or place of trust or profit respectively: Provided always, That nothing herein contained shall extend or be construed to extend, to enable any person, being a Roman Catholic, to hold and enjoy the office of Lord High Chancellor, Lord Keeper or Lord Commissioner of the Great Seal of *Great Britain*, or of Lord Lieutenant, or Lord Deputy, or other Chief Governor or Governors of *Ireland*.

Roman Catholics not to hold the Offices of Lord Chancellor, Lord Keeper or Lord Commissioner of the Great Seal, or Lord Lieutenant or Lord Deputy or Chief Governor of Ireland.

And be it further Enacted, That it shall and may be lawful for any person, professing the Roman Catholic Religion, to be a member of any Lay Body Corporate, and to hold any civil office or place of trust or profit therein, upon making taking and subscribing the Declaration and Oath aforesaid, instead of the Oaths of Allegiance, Abjuration or Supremacy, and instead of the Declaration against Transubstantiation and the Invocation of Saints, and instead of the Formula now by law required; and upon taking also, such other oath or oaths as may now by law be required to be taken, by any person or persons becoming a member or members of such Lay Body Corporate, or being admitted to hold any office or place of trust or profit within the same, and to do any Corporate act, and vote in any Corporate election, or other proceeding: Provided always, That nothing in this Act contained shall extend or be construed to extend, to dispense with, repeal or alter any of the Laws now in force, for establishing the uniformity of Public Prayers or Administration of Sacraments, in the United Episcopal Church of *England* and *Ireland*, or to enable any person or persons, otherwise than as they are now by Law enabled, to hold enjoy or exercise any office, benefice, place or dignity, of in or belonging to the said United Church of *England* and *Ireland*, or the Church of *Scotland;* or any place or office whatever, of or belonging to any of the Ecclesiastical Courts of Judicature of this Realm; or of any Court of Appeal from, or review of the sentences of such Court or Courts; or of or belonging to any Cathedral, or to any Collegiate or Ecclesiastical establishment or foundation within the same; or any office or place of or belonging to any of the Universities of this Realm; or any office or place of Provost, Master, Head or Fellow, Tutor, Scholar, Student or Exhibitioner, or by whatever other name the same may be called, of or in any of the said Universities, upon the establishment or foundation of the same; or of or belonging to the Colleges of *Eton*, *Westminster*, or *Winchester*; or any College or School of Royal or Ecclesiastical foundation within this Realm: Provided also, That nothing herein contained shall extend or be construed to extend, to enable any person, professing the Roman Catholic Religion, to exercise any right of Presentation to any Ecclesiastical Benefice whatsoever; and that in every case, in which a right of Presentation is or shall be vested in a person professing the Roman Catholic Religion, the same shall be and continue to be exercised in the same manner, and in no other, than is now by Law required; save and except where such right of Presentation shall belong to any office in the gift or appointment of His Majesty His Heirs and Successors; in which case, if such office shall be held by a person professing the Roman Catholic Religion, it shall and may be lawful for His Majesty His Heirs and Successors to appoint, by commission under the Great Seal, such member or members of the Privy Council, being a Protestant or Protestants, as He or they shall think fit, to be a Commissioner or Commissioners, for exercising such right of Presentation, whilst such

Roman Catholics admissible into Corporations, and Offices and Places of trust therein, on taking the Oath prescribed by the Act; instead of the Oaths of Allegiance, Abjuration, and Supremacy, and the Declaration against Transubstantiation and the Invocation of Saints, and the Formula now by law required.

Proviso, that nothing in the Act shall repeal the Statute of Uniformity; or to enable Roman Catholics to hold any Office or Place of the United Church of England or Ireland, or the Church of Scotland.

Or any Place in any Ecclesiastical Court of Judicature;

Or in any Cathedral or Collegiate Establishment or Foundation;

Or any Office or Place in any of the Universities;

Or any College or School of Royal or Ecclesiastical foundation;

Or to exercise any Right of Presentation;

And that when any Right of Presentation is annexed to any Office held by a Roman Catholic, His Majesty may transfer such Right of Presentation to any Member of the Privy Council, being a Protestant.

office shall be held by a person professing the Roman Catholic Religion.

Roman Catholics not to advise the Crown in the Appointment or Disposal of any Lay or Ecclesiastical Offices of the United Church of England and Ireland, or the Church of Scotland.

Provided also, and be it further Enacted, That it shall not be lawful for any person, professing the Roman Catholic Religion, directly or indirectly, to advise the Crown in the appointment or disposal of any office or preferment, Lay or Ecclesiastical, in the United Protestant Episcopal Church of *England* and *Ireland*, or of the Church of *Scotland;* and that, if any such person shall presume to advise His Majesty His Heirs or Successors, touching or concerning any such appointment or disposal, he shall, being thereof convicted by due course of Law, be deemed guilty of a High Misdemeanor, and disabled from holding any office, Civil or Military, under the Crown.

Oath to be taken by persons professing the Roman Catholic Religion.

And be it further Enacted, That every person, now exercising or who shall hereafter exercise any of the Spiritual duties or functions, usually exercised by persons in Holy Orders, professing the Roman Catholic Religion, shall, within Six calendar Months from the passing of this Act, or within One calendar Month after entering into Holy Orders, and before he shall exercise any of the Spiritual duties or functions aforesaid, take make and subscribe the Oath and Declaration in this Act contained, and also the Oath following:

OATH.

"I *A. B.* do Swear, That I will never concur in, or consent to the appointment or consecration of any Roman Catholic Bishop or Dean, or Vicar Apostolic, in the United Kingdom, but such as I shall conscientiously deem to be of unimpeachable loyalty and peaceable conduct: and I do swear, that I have not, and will not have any correspondence or communication with the Pope or See of Rome, or with any court or tribunal established or to be established by the Pope or See of Rome, or by the authority of the same, or with any person or persons authorized or pretending to be authorized by the Pope or See of Rome, tending directly or indirectly to overthrow or disturb the Protestant Government, or the Protestant Church of *Great Britain* and *Ireland,* or the Church of *Scotland,* as by Law established; and that I will not correspond or communicate with the Pope or See of Rome, or with any tribunal established or to be established by the Pope or See of Rome, or by the authority of the same, or with any person or persons authorized or pretending to be authorized by the Pope or See of Rome, or with any other Foreign ecclesiastical authority, on any matter or thing not purely Spiritual or Ecclesiastical."

And be it Enacted, That every person who shall presume to exercise such duties or functions, without taking and making such Oaths and Declarations, in manner herein prescribed and directed, being thereof convicted by due course of Law, shall be deemed guilty of a Misdemeanor.

Oath last prescribed may be taken in His Majesty's Courts of Chancery, King's Bench, Common Pleas or Exchequer, at Westminster or Dublin, in Courts of Session, Justiciary or Exchequer, &c. in Scotland; or in any Court of Quarter Sessions.

And be it further Enacted, That the said Oath and Declaration by this Act appointed to be taken and made, instead of any other oath or oaths, declaration or declarations, now by Law required to be made or taken by persons professing the Roman Catholic Religion, shall and may be made and taken in any of His Majesjesty's Courts of Chancery, King's Bench, Common Pleas or Exchequer, at *Westminster* or *Dublin;* or in any of His Majesty's Courts of Session, Justiciary or Exchequer, or in any Sheriff or Stewart Court in *Scotland,* and by Magistrates and Counsellors of the Royal Boroughs in that part of the United Kingdom before the Counsel of their respective Boroughs; or in any Courts of General Quarter Sessions in *Great Britain* or *Ireland;* and shall be subscribed by the person taking and making the same, with his name at length, if such person can write, or with his mark, the name being written by the officer, where such person cannot write; such person or such officer, as the case may be, adding the title, addition and place of abode of such person; and shall remain of record in such Court; and the proper officer of such Court respectively, with whom the custody of such record shall remain, shall make subscribe and deliver a certificate of such Oath and Declaration having been duly made taken and subscribed, to the person, who shall have so made taken and subscribed the same, if the same shall be demanded, immediately; for which certificate, there shall be paid no greater fee or reward than One Shilling; and such certificate, upon proof of the certifier's hand, and that he acted as such officer as aforesaid, shall be sufficient evidence of such person's having duly made taken and subscribed such Declaration and Oaths.

No Roman Catholic, not born of British or Irish Parents, to be capable of exercising Episcopal Duties or Functions, on Penalty of being sent out of the Kingdom;

And be it further Enacted, That from and after the passing of this Act, no person born out of the United Kingdom of *Great Britain* and *Ireland,* or the Dominions thereunto belonging, except such as are born of *British* or *Irish* parents, shall be capable of exercising any Episcopal duties or functions, or the duties and functions of a Dean, within the United Kingdom, or any part thereof; and if any such person shall presume to exercise such duties or functions, within the United Kingdom, or any part thereof, he, being thereof convicted by due course of Law, shall be deemed guilty of a Misdemeanor, and shall be liable to be sent out of the Kingdom; and for that purpose it shall be lawful for any one of His Majesty's principal Secretaries of State, or the Lord Lieutenant or Chief Governor or Chief Governors of *Ireland,* or his or their chief Secretary, by warrant under his hand and seal, directed to such person or persons as he shall think fit, to order such person, so having been convicted as aforesaid, to be conducted and conveyed out of the Kingdom.

Or unless resident within the United Kingdom during the Five years next preceding his election.

And be it further Enacted, That from and after the passing of this Act, no person in Holy Orders, professing the Roman Catholic Religion, shall be capable of exercising any Episcopal duty or function, or the duties and functions of a Dean, within the United Kingdom, unless he shall have been resident within the same for Five years next preceding his first exercising such Episcopal duty or function; and that, if any person shall presume to exercise the same, not having been so resident, he being thereof convicted by due course of law, shall be deemed guilty of a Misdemeanor, and shall be liable to be sent out of the Kingdom in manner aforesaid: Provided always, that nothing herein contained shall extend or be construed to extend to such persons as aforesaid, who shall, before the passing of this Act, have been in the exercise of such Episcopal duty or function.

But the last Provision not to extend to Persons who before the Act had been in the exercise of such Function.

CLAUSE (No. 1.)

Further Precautions to be taken for ascertaining to the satisfaction of His Majesty, &c. the Loyalty and peaceable

AND Whereas it is fit and expedient that such further Precautions should be taken, in respect to persons in Holy Orders professing the Roman Catholic Religion, who may at any time

Conduct of Roman Catholic Priests exercising Episcopal Functions or the Functions of a Dean.

His Majesty, &c. to be fully informed of the nature and extent of any Intercourse between His subjects and a Foreign Power; in order to guard against any Danger to the State.

Former Laws, against Intercourse with Rome, undistinguishingly severe.

Two Commissions to be appointed; one in Great Britain, one in Ireland: consisting of (In Great Britain) Roman Catholic Ecclesiastics exercising Episcopal Functions; of Lay Roman Catholic Peers or Commoners (Commoners to be qualified;) and of Privy Counsellors, of which one of His Majesty's Principal Secretaries of State to be one:—

(In Ireland) of Roman Catholic Ecclesiastics exercising Episcopal Functions; of Lay Roman Catholic Peers or Commoners (Commoners to be qualified;) and of Privy Counsellors of Ireland, of which the Secretary to the Lord Lieutenant to be one.

hereafter be elected, nominated or appointed to the exercise or discharge of Episcopal duties or functions, or of the duties or functions of a Dean, within the United Kingdom, as that no such person shall at any time hereafter assume the exercise or discharge of such Episcopal duties or functions, or of the duties or functions of a Dean, within the United Kingdom, or any part thereof, whose loyalty and peaceable conduct shall not have been previously ascertained to the satisfaction of His Majesty His Heirs and Successors: And whereas it is reasonable and necessary that His Majesty His Heirs and Successors should be fully informed of the extent and nature of any Intercourse which may take place between the subjects of this Realm and any foreign Power, in order to prevent any evils or dangers to the State, which might arise therefrom: And whereas the Laws made in former times against Intercourse between the Subjects of this Realm and the See of Rome are of extreme and undistinguishing rigour and severity; BE it therefore Enacted, That it shall and may be lawful for His Majesty His Heirs and Successors, by Two several Commissions, to be issued under the Great Seal of *Great Britain*, and under the Great Seal of *Ireland* respectively, to nominate and appoint in *Great Britain* such person or persons in Holy Orders, professing the Roman Catholic Religion, and exercising Episcopal duties or functions within *Great Britain*, and such Lay Peers, professing the Roman Catholic Religion, and such Lay Commoners professing the Roman Catholic Religion (such Commoners being respectively possessed of freehold estates in land in *Great Britain* of not less than one thousand pounds a year, or of twenty thousand pounds in personal property) and such Members of his Majesty's most honourable Privy Council in *Great Britain* (whereof one of His Majesty's Principal Secretaries of State for the time being shall be one) as His Majesty His Heirs and Successors shall from time to time think fit; and to nominate and appoint in *Ireland* such persons in Holy Orders, professing the Roman Catholic Religion, and exercising Episcopal duties or functions in *Ireland*, and such Lay Peers, professing the Roman Catholic Religion, and such Lay Commoners, professing the Roman Catholic Religion (such Commoners being respectively possessed of freehold estates in land, in *Ireland*, of not less than one thousand pounds a year, or of twenty thousand pounds in personal property) and such Members of His Majesty's most honourable Privy Council in *Ireland* (whereof the Chief Secretary of the Lord Lieutenant or Lord Deputy, or other Chief Governor or Governors of Ireland for the time being, shall be one) as His Majesty His Heirs and Successors, or the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of Ireland, shall from time to time think fit, to be Commissioners under this Act, in *Great Britain* and *Ireland* respectively, for the purposes hereinafter mentioned.

CLAUSE (No. 2.)
Five Commissioners to form a Board.

And be it further Enacted, That any number, not less than Five, of the said Commissioners, shall form a Board, for executing the several powers and duties by this Act vested in the said Commissioners in *Great Britain* and *Ireland* respectively.

CLAUSE (No. 3.)
Provided that the Secretary of State, or a Protestant Privy Counsellor, and one such Roman Catholic Ecclesiastic and one such Lay Roman Catholic, shall be of the said Board in Great Britain; and in Ireland, the Chief Secretary, or a Protestant Privy Counsellor and one such Roman Catholic Ecclesiastic and one such Lay Roman Catholic.

Provided always, and be it further Enacted, That in *Great Britain* one Member of such Board shall be either His Majesty's said principal Secretary of State, or one other Member of His Majesty's most honourable Privy Council, being a Protestant; and that one other Member of such Board shall be one of the Ecclesiastical Roman Catholic Commissioners aforesaid; and that one other Member of such Board shall be one of the lay Roman

Catholic Commissioners aforesaid: And that, in *Ireland*, one member of such Board shall be either the said Chief Secretary of the said Lord Lieutenant, Lord Deputy or other Chief Governor or Governors of *Ireland*, or one other member of His Majesty's most honourable Privy Council of *Ireland*, being a Protestant; and that one other Member of said Board shall be one of the Ecclesiastical Roman Catholic Commissioners aforesaid; and that one other Member of such Board shall be one of the lay Roman Catholic Commissioners aforesaid.

(CLAUSE No. 4.)
Secretary of State, or in his absence the senior Commissioner in Great Britain; Chief Secretary, or in his absence the senior Commissioner in Ireland, to be President of the Board.

And be it further Enacted, That, in *Great Britain*, his Majesty's said Principal Secretary of State, or in his absence the Commissioner first named in the said Commission for *Great Britain*; and, in *Ireland*, the said Chief Secretary to the Lord Lieutenant, Lord Deputy or other Chief Governor or Governors of *Ireland*, or in his absence the Commissioner first named in the said Commission for *Ireland*, shall be the Presidents of the said Boards respectively.

CLAUSE (No. 5.)
Power to His Majesty to revoke Commissions, and issue new ones.

And be it further Enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, from time to time, at His and Their will and pleasure, to revoke and determine the Commissions aforesaid, or either of them; and to cause a new Commission or Commissions, to be sealed as aforesaid, appointing any other person or persons to be Commissioners and Members of the said Boards.

CLAUSE (No. 6.)
Provided that such new Commissions shall issue within Six Weeks after the revocation, and that each Board appointed by each Commission shall contain Roman Catholic Ecclesiastics, Lay Roman Catholics, and Privy Counsellors, as aforesaid.

Provided always, and be it further Enacted, That such new Commission or Commissions shall issue within six weeks after the revocation and determination of any Commission or Commissions so revoked and determined as aforesaid; and provided always, that every Board appointed by any such new Commission, in *Great Britain* and *Ireland* respectively, shall consist, in like manner, of Roman Catholic Ecclesiastics exercising Episcopal duties or functions, in *Great Britain* and *Ireland* respectively, as aforesaid; and of lay Roman Catholic Peers, or lay Roman Catholic Commoners (such Commoners to be so qualified as aforesaid;) and of Members of His Majesty's most honourable Privy Council in *Great Britain* and *Ireland* respectively, of whom in *Great Britain* one of His Majesty's Principal Secretaries of State, and in *Ireland* the Chief Secretary of the Lord Lieutenant, Lord Deputy or other Chief Governor or Governors of *Ireland* for the time being, shall be one.

CLAUSE (No. 7.)
Commissioners to take the following

And be it further Enacted, That each Commissioner so to be appointed under this Act in *Great Britain* and *Ireland* respectively, shall, before he takes upon himself the execution of any of the powers and duties hereby vested in the said Commissioners, take and subscribe the following Oath:

OATH.

"I *A. B.* do promise and swear, That I will, without favour
"or affection, prejudice or malice, to any person whatso-
"ever, faithfully and impartially, and to the best of my
"judgment and discretion, execute and perform the duties
"of a Commissioner vested in me by virtue of an Act of
"the fifty-third of His Majesty, intituled, 'An Act,' &c.
"and will honestly and truly advise his Majesty in all mat-
"ters which shall come before me as a Commissioner un-
"der the said Act; and that I will not directly or indi-
"rectly publish, disclose or make known, except to His
"Majesty, or by His Majesty's command, any matter or

> "thing whatsoever, which may or shall come to my know-"ledge by reason or in consequence of my being a Com-"missioner under the said Act."

Lay Roman Catholic Commoners to take an

And such lay Roman Catholic Commoners as shall be Commissioners under this Act, shall take, in addition to the aforesaid Oath, the following Oath:

OATH of Qualification.

> "I *A. B.* do swear, That I am possessed of a Freehold landed "Estate in *Great Britain,* [*or,* in Ireland, *as the case may be*] "of not less than One thousand Pounds a year [*or,* of "Twenty thousand Pounds in personal Property, *as the* "*case may be.*"]

Oaths to be administered by Commissioners to each other, and recorded.

Which said Oaths any two of the Members of the said Boards shall and are hereby empowered to administer; and the said Oaths shall be entered among the Acts of the said Boards, and duly attested by the Members thereof at the time of their taking and administering the same to each other respectively.

CLAUSE (No. 8.)
Boards of Commissioners in Great Britain and Ireland empowered to make Regulations for their own Proceedings;

and to appoint Secretaries or Clerks:

Subject to approbation of His Majesty in Great Britain, and to the Lord Lieutenant in Ireland.

And be it further Enacted, That it shall be lawful for the said Boards of Commissioners in *Great Britain* and *Ireland* respectively, to make from time to time such Regulations, to be binding on themselves, for all purposes incident to the discharge of their Office, as they shall think proper; and to nominate and appoint such Secretaries or Clerks as shall be necessary to attend upon the said Boards respectively; who shall be liable to dismission at the pleasure of the said Boards: Provided always, That such Regulations and Appointments shall, in *Great Britain,* be submitted to the approbation of His Majesty, and in *Ireland* to that of the Lord Lieutenant, Lord Deputy, or other chief Governor or Governors of *Ireland.*

CLAUSE (No. 9.)
Lords Commissioners of the Treasury in Great Britain and Ireland, to issue, out of the Consolidated Fund, 1,000*l.* for the payment of the Expenses of the Boards, and Salaries of Secretaries or Clerks.

And be it further Enacted, That for discharging the expense of the said Commissioners respectively, and for paying the Salaries of the Secretaries or Clerks attending upon the same, the Lords Commissioners of His Majesty's Treasury, in *Great Britain* and *Ireland* respectively, shall issue out of the Consolidated Funds of *Great Britain* and *Ireland* respectively, such Sums as may be necessary, not exceeding in the whole the annual Sum of One thousand Pounds, to the Secretary or First Clerk of the said Boards respectively; to be applied for the purposes of the said Boards, under the direction of the Commissioners of the same.

CLAUSE (No. 10.)
No Commissioner to receive any Salary.

Provided always, and be it further Enacted, That no Commissioner of either of the said Boards respectively, shall receive, or be entitled to any Salary, Reward, Fee or Gratuity, for his attendance at the same.

CLAUSE (No. 11.)
Secretaries and Clerks to take the following

And be it further Enacted, That the Secretaries or Clerks of the said Boards of Commissioners, in *Great Britain* and *Ireland* respectively, shall, before they proceed to act in the execution of their said offices, take and subscribe, before two or more of the said Commissioners (who are hereby empowered to administer the same) the following Oath:

OATH.

> "I, *A. B.* do promise and swear, That I will, according to "the best of my skill and knowledge, faithfully execute the "Office of Secretary [*or,* Clerk] to the Commission ap-"pointed by an Act of the fifty-third of His Majesty, in-

" tituled, *An Act,* &c. And that I will not publish, dis-
" close, or make known, to any person whomsoever, save
" to the Commissioners of the said Commission, or by their
" authority, any matter or thing which may come to my
" knowledge by reason or in consequence of my said
" Office."

CLAUSE (No. 12.)
The office of Commissioner not to be incompatible with, nor to vacate, a Seat in the House of Commons.

And for avoiding any doubt which might arise, whether the office or place of a Commissioner in either of the said Boards, be within any of the provisions of an Act of the sixth year of the reign of Queen *Anne,* intituled, " An Act for the security of Her " Majesty's Person and Government, and of the Succession of the " Crown of *Great Britain* in the Protestant Line;" or whether the appointment of any such Commissioner, being a Member of the House of Commons, shall vacate his seat in that House; BE it Enacted and Declared, That the said place or office of a Commissioner in either of the said Boards, shall not be deemed or taken to be within the intent or purview of the said Act of the sixth year of the reign of Queen *Anne,* whereby to disqualify any such Commissioner from being elected, or sitting and voting as a Member of the House of Commons; nor shall the appointment of any such Commissioner, if a member of the said House, vacate his seat in the said House, any thing contained in the said Act of the sixth of Queen *Anne,* or in any other Act, to the contrary notwithstanding.

CLAUSE (No. 13.)
No Roman Catholic Priest in Great Britain or Ireland, other than such as are already in the exercise of such functions, to assume the exercise of Episcopal Functions, or of the Functions of a Dean, whose Name shall not have been previously notified to the President of the Board of Commissioners;

Nor until he shall have received the signification of His Majesty's Approbation, or of that of Lord Lieutenant of Ireland.

And be it further Enacted, That from and after the passing of this Act, no person in Holy Orders professing the Roman Catholic Religion (other than such as are already in the exercise of Episcopal duties or functions, or of the duties or functions of a Dean within the United Kingdom) shall assume the exercise of Episcopal duties or functions, or of the duties or functions of a Dean within the United Kingdom, or any part thereof, unless the name of such Person shall previously have been notified in writing to the President of the Board of Commissioners by this Act appointed, in *Great Britain* or *Ireland* (as the case may be;) and until the said Person shall have received the signification of His Majesty's approbation, or of the approbation of the Lord Lieutenant, Lord Deputy or other Chief Governor or Governors of *Ireland,* in manner hereinafter mentioned.

CLAUSE (No. 14.)
President of the Board of Commissioners in Great Britain and Ireland, to lay the Name of the Priest so notified to him forthwith before the Board;—

Board within Six Weeks to report to His Majesty, or the Lord Lieutenant of Ireland, their opinion as to the Loyalty and peaceable conduct of the said Priest;

Upon such Report, His Majesty or the Lord Lieutenant of Ireland may, by and with the advice of the Commissioners, approve or disapprove of the said Priest;

And His Majesty's or the Lord Lieutenant's approbation or disapprobation, shall be signified to the said Priest by the Secretary of State in Great Britain, and under the hand

And be it further Enacted, That the President of the said Board of Commissioners in *Great Britain* or *Ireland* (as the case may be) shall, so soon as the name of such person as aforesaid shall have been so notified to him as aforesaid, forthwith lay the same before the said Board of Commissioners; and that the said Board of Commissioners, shall within Six Weeks after such name shall have been so laid before them, report to His Majesty, or to the Lord Lieutenant, Lord Deputy or other Chief Governor or Governors of *Ireland* (as the case may be) in writing under their hands and seals, " whether they know or believe any thing which tends to impeach the loyalty or peaceable conduct of" the person whose name shall have been so laid before them; and that upon such report, it shall and may be lawful for His Majesty, or for the Lord Lieutenant, Lord Deputy or other Chief Governor or Governors of *Ireland* (as the case may be) by and with the advice of the said Commissioners, to approve or disapprove of the said person; and that His Majesty's approbation or disapprobation, or the approbation or disapprobation of the Lord Lieutenant, Lord Deputy or other Chief Governor or Governors of *Ireland* as aforesaid, shall and seal of the Lord Lieutenant of Ireland, or his Chief Secretary; within Ten Days after Report.

be signified to the said person, if in *Great Britain,* by an instrument under the hand and seal of one of His Majesty's principal Secretaries of State, and if in *Ireland,* by an instrument under the hand and seal of the said Lord Lieutenant, Lord Deputy or other the Chief Governor or Governors of *Ireland,* or of his or their Chief Secretary, within Ten days after such Report as aforesaid shall have been so submitted to His Majesty, or to the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of *Ireland*; and that such instruments respectively shall, in all such cases, set forth, "That the said Royal approbation or disapprobation, (or the said approbation or disapprobation of the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of *Ireland*) has been given upon the Report, and by and with the advice of the said Board of Commissioners" in *Great Britain,* or *Ireland* (as the case may be.)

Such Instruments to state that the said Approbation or Disapprobation is given on the Report and by and with the Advice of the Commissioners.

CLAUSE (No. 15.)

Instrument signifying His Majesty's Approbation or Disapprobation, to be enrolled in the Court of Chancery;—attested Copy thereof, to be evidence on trial.

And be it further Enacted, That the Instrument so signifying His Majesty's approbation or disapprobation as aforesaid, (or the approbation or disapprobation of the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of *Ireland*) shall be inrolled in His Majesty's Court of Chancery, in *London* or *Dublin* respectively; and that an attested Copy thereof, shall be Evidence on any trial to be had touching any matter or thing in this Act contained.

CLAUSE (No. 16.)

Any such Person presuming to exercise Episcopal Functions, or those of Dean, without such notification, or notwithstanding His Majesty's Disapprobation, or without His Majesty's Approbation, to be guilty of a Misdemeanor, and upon conviction, to be liable to be sent out of the Kingdom.

And be it further Enacted, That if any such person as aforesaid shall, either before his name shall have been so notified to the said President of the said Board of Commissioners, in *Great Britain* or *Ireland* as aforesaid, or, notwithstanding such signification of His Majesty's disapprobation, or of the disapprobation of the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of *Ireland,* as aforesaid, or without such signification of His Majesty's approbation, or of the approbation of the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of *Ireland* as aforesaid, presume to exercise any Episcopal duty or function, or the duties or functions of a Dean, within the United Kingdom, or any part thereof, such person shall be guilty of a Misdemeanor, and upon conviction thereof, shall be liable to be sent out of the United Kingdom, in manner as hereinbefore directed.

CLAUSE (No. 17.)

Persons receiving Bulls, &c. from the See of Rome, or under authority of the See of Rome, or of any other Spiritual Superior, to send such Bull, in original, to the President of the Board of Commissioners in Great Britain or Ireland respectively.

And be it further Enacted, That from and after the passing of this Act, so often as any Subject or Subjects of His Majesty His Heirs or Successors, shall receive any Bull, Dispensation or other Instrument, from the See of Rome, or from any foreign Person or Body whatsoever, or from any Person or Body whatsoever in foreign parts, acting under the authority of the said See, or under that of any other Spiritual Superior, the person or persons so receiving the same, shall, within Ten days after receiving the same, deliver the same, or cause it to be delivered, in the original, to the President of the Board of Commissioners by this Act appointed, in *Great Britain,* if the same shall have been received in *Great Britain*; or if the same shall have been received in *Ireland,* to the President of the Board of Commissioners by this Act appointed, in *Ireland*; who shall respectively lay the same before the said Board of Commissioners in *Great Britain* or *Ireland* (as the case may be:) And the said Board of Commissioners, in *Great Britain* or *Ireland,* shall forthwith inspect the same; and if the said Board of Commissioners shall not find any thing in the said Instrument so submitted to their inspection, which shall appear to them to be in any way injurious to the safety or tranquillity of the United Kingdom, or to

President to lay the same before the Board.

Board to inspect; and report to his Majesty or Lord Lieutenant; if innocent, the said Bull to be returned, &c. indorsed by the Secretary of State, or Chief Secretary in Ireland.

the Protestant Establishment in Church or State, they shall forthwith report the same to His Majesty, or to the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors in *Ireland* (as the case may be; and thereupon the said Instrument shall, after being inrolled in the office of one of His Majesty's principal Secretaries of State in *Great Britain*, or in that of the Chief Secretary in *Ireland*, (as the case may be) be returned to the Person by whom the same shall have been so submitted for inspection as aforesaid, with an Indorsement signed by the said Principal Secretary of State in *Great Britain*, or by the said Chief Secretary in *Ireland* (as the case may be) signifying that the same has been duly inspected and reported upon to His Majesty, or to the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of *Ireland* (as the case may be) according to the provisions of this Act.

CLAUSE (No. 18.)
Provided that where the Instrument is purely private and spiritual, and such as the person receiving it shall conscientiously think he cannot submit to Lay inspection, he may deliver a Certificate to that effect, with this Oath :

Provided always, and be it further Enacted, That where any Person shall certify by a writing under his hand and seal, to the said President of the Board of Commissioners in *Great Britain* or *Ireland* respectively, that he has received from the See of Rome, or from any authority under the same, an Instrument which relates wholly and exclusively to the spiritual concerns of an individual or individuals, and which is of such a nature as that he does sincerely and conscientiously believe that he cannot, according to the discipline of the Roman Catholic Church, submit the same to Lay inspection; and shall so certify within Ten days after he has received the same, and shall verify such Certificate by the following Oath :

OATH.

> " I *A. B.* do swear, That the Instrument [*describing the Instrument*] which I hereby acknowledge to have received from " the See of Rome [*or*, from such other Body or Person, *as the case may be*, under the authority of the said See] does " relate wholly to the personal spiritual concerns of the " Party or Parties in respect of whom it has been issued, " and to no other matter or thing whatsoever; and is of " such a nature, that I do sincerely and conscientiously believe that I cannot, according to the discipline of the " Roman Catholic Church, submit the same to lay inspection. So help me GOD."

Oath to be taken before Commissioners, or in any of the Courts before mentioned, or (in certain cases) before Two Justices of the Peace;

In such case, power to the Commissioners to allow the Instrument to be sent up sealed, to be inspected by the senior Ecclesiastical Commissioner only;

If he confirms the statement as to the nature of the Instrument, the same to be reported to His Majesty or to the Lord Lieutenant of Ireland; and thereupon the Instrument to be returned indorsed by the said Senior Ecclesiastical Commissioner without further inspection.

Which Oath it shall and may be lawful for such person to take and subscribe, either before the said Board of Commissioners in *Great Britain* or *Ireland* (who are hereby empowered to administer the same) or in any of the Courts hereinbefore mentioned, or before two of His Majesty's Justices of the Peace in *Great Britain*, or *Ireland*, if the person taking and subscribing the same shall be resident more than Twenty miles from *London* or *Dublin* respectively, or shall from ill health or infirmity be unable to travel; Then and in every such case, it shall and may be lawful for the said Board of Commissioners in *Great Britain* or *Ireland*, in the exercise of their judgment and discretion, to direct the said Instrument to be transmitted, sealed up, for the sole inspection and verification of the Senior Ecclesiastical Commissioner belonging to the said Board; and the said Senior Ecclesiastical Commissioner shall inspect the same; and if he shall, after such inspection, declare upon his Oath (which Oath the said Board of Commissioners are hereby empowered to administer) that the said Instrument is, in his conscientious opinion and judgment, of the nature described in the Certificate and Oath of the Person by whom the same shall have been so transmitted as aforesaid; the same shall be reported to

His Majesty, or to the Lord Lieutenant, Lord Deputy or other Chief Governor or Governors of *Ireland* (as the case may be); and thereupon the said Instrument shall be returned, sealed up, to the person by whom the same shall have been so transmitted, after being indorsed by the said Senior Ecclesiastical Commissioner alone, and without being inrolled in any office, or having been submitted to any other inspection whatever.

CLAUSE (No. 19.)
Persons conforming to foregoing directions in respect to Bulls, &c. to be exempt from all Penalties of existing Laws against Intercourse with Rome.

And be it further Enacted, That any person or persons in *Great Britain* or *Ireland*, so receiving any such Bull, Dispensation or other Instrument as aforesaid, who shall so deliver the same, or cause it to be delivered, in the Original, or who shall so certify the receipt, and so describe and verify by oath the nature of the said Instrument by him or them received as aforesaid, and whose Certificate and Oath shall be so confirmed and allowed as aforesaid, shall be free and exempt from all pains and penalties whatsoever, to which he or they would be liable by any laws now existing in *Great Britain* or *Ireland* respectively, against the receiving and publishing Bulls, Dispensations or other Instruments from the See of Rome, or from any authority or pretended authority under the said See.

CLAUSE (No. 20.)
Persons not conforming, to be guilty of a Misdemeanor; and upon Conviction, in lieu of all Penalties of existing Laws, to be liable to be sent out of the Kingdom.

And be it further Enacted, That any person or persons so receiving any such Bull, Dispensation or other Instrument as aforesaid, and not so delivering or causing to be delivered as aforesaid, either the said original Instrument, or such Certificate of the receipt thereof, accompanied by such Oath as hereinbefore prescribed; or who shall publish or put in execution, or be wilfully and knowingly concerned in publishing and putting in execution any such Bull, Dispensation or other Instrument as aforesaid, in *Great Britain* or *Ireland*, before the same shall have been properly inspected and indorsed as aforesaid; shall be guilty of a Misdemeanor; and shall, in lieu of all pains and penalties to which he or they would be liable by any laws now existing in *Great Britain* or *Ireland* respectively, against receiving and publishing Bulls, Dispensations or other Instruments from the See of Rome, or from any authority or pretended authority under the said See, be liable to be sent out of the United Kingdom in manner as hereinbefore directed.

HOUSE OF LORDS.

Friday, May 21.

Stipendiary Curates' Bill.] The order of the day being read, for the third reading of this Bill,

The Bishop of *London* stated at length the objections he entertained against the expediency of this measure. When the Bill was in the Committee, although he suggested the propriety of some amendments, yet he foresaw that it never could be so modelled as to free it from the objections against its interference with the subordination of the church. In looking at its probable effects, he considered great inconveniences would arise. The subordination of the different ranks, so necessary to the well-being of the ecclesiastical government, would be destroyed; the curate would be at variance with the incumbent, and a constant interference of the lower with the higher orders of that class of the clergy would be perpetually recurring. In cases where the living was not more than 80*l.* 100*l.* and 120*l.* a year, the whole of that living might, according to this Bill, be appropriated to the use of the curate; and he thought this provision in many instances would have an injurious effect. Besides, it should be recollected that there were 800 livings which were under 50*l.* per annum. Upon the whole, he expressed his conviction that the part which was intended to leave discretion in the bishops, would not cure its defects, and could not be carried into execution. The right reverend prelate concluded by moving, "That the Bill be read this day three months."

The *Lord Chancellor* left the woolsack, and shortly addressed the House upon the probable effects of this legislative interference. He was convinced that injurious consequences would result, and that the objects in contemplation would not be attained. If residence were the intention of this measure, why not enforce the residence of the incumbent, by declaring, that if he did not reside, he should forfeit the living, and then the patron would have an opportunity of presenting one who would be induced to fulfil the intention of the legislature. That there should be a clergyman resident in every parish was most desirable; but did the present Bill make any provision for carrying that purpose into actual practice? It provided, that if the incumbent did not reside, the curate should have the whole of the living, if 80*l.* or 100*l.* or 120*l.* per annum: but did it make any provision for the residence of the curate? Suppose the curate, after this interference with the incumbent, should not reside, had any progress been made to enforce or secure the residence of a clergyman? He could also perceive several mischiefs which might arise. Suppose an incumbent having a living of that sum, which, for non-residence under this Bill, would be wholly consigned to the use of the curate; and suppose he were to become a rich dean, of 1,200*l.* a year, would he be obliged to resign? He certainly would not; and thus incumbents might, in the first instance, take these small livings for no intention whatever, of rendering or performing the duties, but of getting the living appropriated to the use of some curate; and in this way, the patron would lose his patronage during the life of that incumbent. In other cases most severe hardships might be experienced, where the bishops would be called upon to enforce those enactments against a man, who, for a number of years, had discharged his duty in a parish, to the satisfaction of all; who had, by his economy, brought up and supported a numerous family, and of all others in the diocese, was the most distinguished for the exemplariness and exercise of his virtues. The noble and learned lord concluded by observing, that this measure could have no good consequences, but he was sure it would have many evil ones.

Lord *Redesdale* defended the principle and provisions of the Bill. He did not view the property of the church in the manner it appeared to be considered by others; that property he attributed to the church as a whole, but it did not belong as private property to its individual members. Much had been said about the poverty of the church, but the church, in his opinion, possessed riches sufficient; and the only defect was in the unequal distribution; but one of its greatest and indispensable duties was, to provide a resident clergyman to perform the duties of the church in every parish in the kingdom. The principle of the Bill had that object in its view, and its provisions were calculated to produce the effect. He had said on a former occasion that there was a decrease in the performance of duty by the lower orders of the clergy, and his observations had been commented upon by several of the bishops, with a degree of warmth, but he must say that from his own knowledge in many places, he knew that to be the fact. With respect to the reverend prelates themselves, it was not probable they should know of all the grievances which existed, for in the case of families, all their lordships must be aware that the last person to be apprised of disorderly conduct was the master of the house. The noble and learned lord made many other observations in favour of the Bill.

The Bishop of *Worcester* delivered his sentiments in opposition to the Bill. He defended the present system of church livings, and considered any interference of legislative authority, to be of a dangerous nature to the ecclesiastical constitution.

The Earl of *Liverpool* thought he was called upon to state the reasons upon which he intended to support the present measure. He perfectly coincided with many observations made by the right reverend prelate, who had sat down; and there were two points in his noble and learned friend's (lord Redesdale's) speech, in which he did not concur. In respect to the poverty of the church, considering the established church as a whole, he did not perceive that any individual office had more than sufficient to maintain its dignity and use. Among the higher orders, he was convinced, that no one enjoyed more than he ought to possess, and among the lower there were a great many who had not what was sufficient and adequate for the due performance of their duty. This subject had occupied his attention long before this time, and he was convinced that some addition was necessary; and when the circumstances of the country would permit, the increase of the small livings ought to be taken into consideration. There was another point in which he did not agree with his noble and learned friend, and that was the falling off of late years in the performance of duty among the lower orders of the clergy. Now, he had made enquiry into this subject, and though his own knowledge was confined, he had an opportunity of acquiring considerable information from others, and he was led to believe that the performance of duty had improved. Some years ago there might have been a sudden deficiency in the duties of the clergy, for when that false philosophy spread over Europe, and even infused itself into all the establishments of this country, while it overturned the existence of those in another kingdom, had even a tendency to relax and diminish the exertion of ecclesiastical as well as other duties; but when experience had shewn the fallacy of theoretical doctrines, mankind became more inclined to perform those duties closely which were founded upon the wisdom of ancient institutions. He also had to acquiesce in the sentiments of those who were of opinion, that these discussions tended to do good; and one happy effect was, their bringing to the consideration of all clergymen, what were the peculiar duties which belonged to their situation. On both these accounts he was of opinion, that residence and performance of duty among the lower orders of the clergy had increased. The noble earl next proceeded to praise the system of hierarchy in this country; it was unequal and of a mixed complexion, and therefore more consistent with the other parts of our constitution. As to the Bill itself, he thought nothing could be more simple than the principle on which it was founded. Residence was an object desired by all, and in those instances where the living was not adequate to the support of an incumbent and a curate, this Bill provided that it should be appropriated to one only. The noble earl, after speaking generally in favour of this Bill, concluded by saying it should have his support.

The Earl of *Radnor* said, that one object of the Bill had been stated to be the discouragement of sectaries. He did not think it had that tendency; and it would be found, on the division, that the friends of sectaries would vote for it.

The Archbishop of *Canterbury* spoke in disapprobation of the measure; and principally, as it went to limit a discretionary power, which was wisely vested in the bishops for the benefit of religion and the convenience of the church.

Earl *Grosvenor* opposed the Bill, on the ground of its being improper to interpose any legislative interference with respect to the performance of duties among the clergy.

Lord *Grenville* defended the propriety and expediency of the Bill, which he considered well calculated to remove one inconvenience particularly complained of, he meant the non-residence of a clergyman in each parish. He professed the highest regard for the church establishment, and on that account was more favourable to the present measure. But with all his regard to the ecclesiastical members of that establishment, great consideration was due to the community. It was actually necessary that a clergyman should reside at his living; for the duties of reading the service and delivering a sermon, though high, were not the highest duties of the profession. The instruction of the young, the visitation of the poor and sick, and the consolation of the dying, were duties of the highest consideration, and could not be performed but by a resident clergyman.

Lord *Kenyon*, though favourable to the provisions of this Bill, when first suggested in the Committee, yet could not in his conscience give it his support, when he found that such strong objections against it were entertained by the right reverend prelates, whose administration was to carry it into execution.

Lord *Ellenborough* thought the residence of the clergy was most desirable, but did not think this Bill the proper means of enforcing it. The non-residence of the clergy he attributed to the want of houses, the poverty of the benefices, and pluralities. These evils would be increased by the Bill, which he considered a Bill of confiscation and forfeiture of the smaller livings. Although he was confident it was not the object of the noble lord who originated the Bill, yet he had no doubt but it was the object of several to reduce the smaller livings, so as to render them of little value to their patrons; in order that they might be purchased by a fund, which he knew was busily employed in purchasing livings, in order to fill them with persons most injurious to the church of England, and he would say, to sound Christianity. He thought the moral habits of mankind were in a state of improvement, caused by the experience that mankind had had of the atrocities committed in consequence of the French Revolution, and of the crimes perpetrated by the Monster who was now on the banks of the Elbe; and it was impossible that those who administered the gospel should not have participated in that improvement.

The Earl of *Harrowby* had hoped that the words introduced, in consonance to the wishes of the noble lord (Grenville) would have obviated all difference of opinion. He stated, that the poverty of the church was not the cause of non-residence, nor of pluralities, for they abounded most in the richest benefices. It was agreed on all hands that non-residence was a great evil; there were many parishes, where all they knew of the person who received the endowments was, that he received them. Curates discharging the duties of four parishes, and galloping about from church to church, was what brought the church into contempt.

The House then divided:

For the third reading	37
Against it	22
Majority in favour of the Bill	15

HOUSE OF COMMONS.

Friday, May 21.

Insolvent Debtors' Bill.] Mr. Kenrick moved the re-commitment of the Insolvent Debtors' Bill.

Mr. Serjeant *Onslow* rose to call the attention of the House to the Bill now before the House, and which had already reached nearly its last stage without producing one single animadversion. He deemed it his duty to state, that he thought it the most material invasion of the civil law of this country that had been brought forward in parliament for a long period. It was not an occasional act, but a permanent and general law, not only altering all the provisions which had before prevailed with respect to creditor and debtor, but investing a single judge with powers never before exercised in any court of English judicature. Among the penalties enacted was to be found the penalty of death; and the creation alone of another capital felony was a sufficient ground, in his judgment, for calling the attention of the House to the measure before them. He trusted, therefore, that his hon. and learned friend would have no objection to delay his motion for a few days, that an opportunity might be given to members to make themselves acquainted with the Bill.

Mr. *Kenrick* answered, that he had frequently called the attention of the House to that Bill: he had repeatedly stated that it was entitled to their most serious consideration. It went to effect a most important alteration in the law of the land, and ought to be well weighed before it was adopted; this he had frequently repeated, and he was the more surprised at hearing the hon. and learned gentleman now ask for further time to consider the Bill. As to the amendment making the concealment of effects by the debtor a capital felony, it had been transcribed almost verbatim from the Bankrupt Act; he had, however, no objection to postpone the recommitment of the Bill.

Sir *Charles Monck* objected to the Bill, as rendering that relief to debtors permanent which ought only to be temporary, and conferred at the discretion of the legislature.

Sir *Samuel Romilly* said, he should be sorry if the further consideration of the Bill should be postponed to any period that might endanger the final success of the measure. It was most important, he thought, that this Bill should pass; and the unhappy persons for whose more immediate relief it was intended had had, in his opinion, their feelings cruelly trifled with, in finding that this Bill had already lingered two months in that House, and that at that moment no attention appeared to have been drawn towards it. Those members must have had their minds little occupied with the subject to which the Bill related, if they indeed imagined that the object of the Bill was temporary. The Bill in question had been for many years under consideration, had at length received the sanction of the highest law authorities, of the present Lord Chancellor, the present Chief Judge of the court of King's Bench, of the late Lord Chancellor of Ireland, and of the Master of the Rolls. It had passed the other House, and had lain on the table for the last two months. To him the objection of the hon. baronet appeared the strongest recommendation that could be urged in its favour. The Bill was certainly not temporary: it did not interfere to violate the contract between creditor and debtor: it did not, in defiance of the first principles of all law and justice, do that which nothing but the last necessity could justify, and which parliament was only compelled to do occasionally, because the prisons of the country could not receive the accumulating number of persons confined for debt. This was not an *ex post facto* law of any such description. The Bill was founded upon a principle familiar to the legislation of other countries, that of the *cessio bonorum,* by which a debtor on surrendering the whole of his property was permitted to retain and enjoy his personal liberty. A wise principle in his opinion it was; one that entitled a person who had been unfortunate, perhaps imprudent or criminal, to retrace his steps, to new model his conduct and become an useful member of society, instead of shutting him up from the exercise of industry, and exposing him to the moral contagion of a prison. He did not approve of all the provisions, but he congratulated the House upon the general principle of the measure, sanctioned as it had been by those eminent and distinguished law authorities by whom it had been prepared. The Bill was undoubtedly a very considerable innovation, and perfection was not to be expected in the first instance. The clause inflicting the capital punishment of death ought not to have been introduced precipitately in a Committee of that House, thus evading some of the forms to which the main body of the Bill was subjected. If it were consistent with the practice of the House he should move, on the re-commitment of the Bill, for the omission of that clause. Here was a practical proof of the facility with which a law for depriving a subject of his life might pass unobserved, whilst any effort at repealing a capital punishment was sure to meet with strenuous opposition. By the law as it stood at present the offence made capital by this clause might be prosecuted as perjury, and the offender suffer transportation. As to what had been said by the hon. and learned gentleman of this provision being copied from certain clauses in the Bankrupt Laws, he wished to observe that this was precisely the law which from its excessive severity was never carried into execution. Since the first enactment of the capital part of the Bankrupt Law in the reign of George 2, not more than five individuals had suffered the penalty which he was quite satisfied more than five thousand had incurred. However gross the frauds of the bankrupt, few creditors would choose to extend the punishment of them to death. The Bill before the House had been called an innovation. It was undoubtedly so, but it proceeded from those who were pretty generally the decided enemies of innovation, and came therefore with a double claim upon the attention and deference of that House.

The *Speaker* said, that the effect of recommitting the Bill, was to undo all that had been done in the Committee, and to leave the measure open to any alteration or addition which might be proposed.

Mr. *Lockhart* supported the Bill.

Mr. Serjeant *Onslow* explained that he had only described the Bill to be a most material alteration of the law, without saying that it was either for the better or the worse.

The Bill was then ordered to be recommitted on this day se'nnight.

ADMIRALTY REGISTRAR'S BILL.] Mr. H. Martin moved the order of the day for taking into further consideration the Report of the Bill for regulating the office of Registrar of the Admiralty.

Lord *Castlereagh,* though he had hitherto supported this measure as one of general regulation, and though he admitted that looking forward to the persons who might hereafter fill the office of Registrar of the Admiralty, the balance in hand would be better deposited in the Bank than in the care of any individual; yet in the present instance, considering the property and personal character of lord Arden, he thought it could not be denied, that every security was afforded which the suitors themselves could desire, and therefore in his opinion it would be a monstrous exercise of the power of parliament to push the present enactment against that individual. He then moved a clause, providing that the regulations contained in the Bill should not take effect till after the expiration of the interest at present vested in the office.

Lord *Milton* said, if this clause were to be accepted, he thought it would be better not to proceed farther with the Bill. He thought the public very much indebted to his hon. and learned friend, for having introduced the Bill, which was unquestionably much wanted. He would put an extreme case, which, however, might happen. Suppose the Registrar should become a bankrupt, the suitors would certainly lose all the money in his hands. He must, therefore, object to the clause, as it would render the Bill wholly nugatory.

Mr. *Abercromby* said, that in his opinion the Registrar made use of the suitors' money for his own benefit, contrary to law. He would oppose the clause, because if it was adopted by the House, it would not only defeat the intention of the Bill during the lifetime of lord Arden, but introduce a precedent for the continuance of this abuse in future possessors of the office. He would, therefore, vote against the Bill itself, rather than sanction such an illegal use of the suitors' money. He was as anxious as the noble lord could be for protecting vested interests, but would never sanction a Bill which went to perpetuate vested abuses, which the present clause would do, by giving a sanction to this unwarrantable use of the suitors' money, by the person holding the office of Registrar.

Lord *Castlereagh* explained, that by his patent, lord Arden was banker to the court of Admiralty, and, of course, had a right to make use of the money.

Sir *S. Romilly* expressed his surprise, that on a question of such immense importance none of the crown lawyers had given their opinion, whether these sums of money belonging to the suitors of the court had or had not been legally used. He did not believe any lawyer, who had a regard for his character as a professional man, would declare that such use of the suitors' money by the Registrar was legal. The House was therefore left in a shameful state of doubt, to determine so weighty a question merely on their own private and individual judgment. For his own part, he had no hesitation to declare, that in his opinion this use of the suitors' money was altogether illegal; and if this clause should be allowed to pass, he would consider it a point of duty to vote against the Bill, and would positively divide the House upon it: because this Bill, with this clause, would directly sanction the very abuse which its end and aim was to do away. In the case of lord Melville, the use of the public money for his own private use was deemed illegal by the universal opinion of the House, and the only question of doubt was, whether a civil information could be filed against him by the Attorney General. One of the articles of impeachment against lord Macclesfield, also, was making use of the public money for his own private advantage: it was a distinct article of impeachment against him, that he had countenanced Masters in Chancery in using the suitors' money for their own private interest. After that transaction, a law passed, to appoint the office of Accountant General, to take this money out of the hands of the Masters in Chancery. He saw no reason why the House should be less attentive to the interests of the public now, than it was at that period. When this matter was first mentioned in the House, his right hon. and lamented friend, now no more (Mr. Perceval), declared with great warmth that lord Arden had never used the suitors' money, which very warmth was a strong proof that he deemed it to be illegal: but he was afterwards, from his inherent candour and justice, obliged to allow that he had been mistaken in the fact, and that the money of the suitors of the court had been so used. Many suitors did not choose to take their money out of the court, because, from the fluctuation of the funds, they were fearful of trusting to their own judgment, and in the court they believed it to be safe. Should it then be said, that if they did not choose to adventure their money, on account of the fluctuation of the funds, that the Registrar of the Admiralty should, therefore, venture it for them, and make interest of that which they supposed was safely lodged in the court. He thought the using this money by the Registrar wholly illegal, and as such would vote against the clause.

Mr. *Stephen* was surprised that any charge of illegality should have been made against the receipt of the profits attached to the office of Registrar of the Admiralty. His noble friend (lord Castlereagh) had introduced a clause, to protect the existing rights of a person having an interest in the office of Registrar; the emoluments of which office he is stated to have always enjoyed. This was a sufficient answer to the question of legality, put by his learned friend who spoke last, and at once shewed that those emoluments were legal. What was the fact of the case? It was merely this, the Registrar was the banker of the court, at his own personal risk—and that, too, in consequence of the conduct of the persons interested; because there were many acts of parliament by which a party might, if he pleased, demand his own money, and have it vested in the public funds. From various causes, however, it was left in his possession, and it could not surely be considered a principle of law, that the officer having placed it at interest for his own benefit, being responsible for the capital, was guilty of an illegal act. The crime alleged against lord Melville was entirely different from this act of the Registrar. He was impeached for the violation of an express act of parliament, which was supported, if not originally introduced, by him. Under that impeachment he was, however, acquitted, (contrary to the feeling of that House); because it was considered that the case did not come within the provisions of the statute. And it was not a little remarkable, that it was alleged against his lordship at the time, as a circumstance aggravatory of his offence, that an increased salary had been given to him, on condition that he should pay over to the Bank certain sums of money, which, prior to the regulation, had been placed out to interest for his own benefit. This proved that such a proceeding had been recognised, and he therefore hoped his hon. and learned friend would not speak in so high a tone on the subject of legality. The very reason of the thing was in favour of the practice in the present instance; for, if an individual were compelled, by the suitors themselves, to take charge of their money, under all risks, was it unjust that he should, by making use of the interest of it, indemnify himself from hazard? In the impeachment of lord Macclesfield, the charge of conniving at the conduct of the Masters in Chancery, in making use of the suitors' money, was only thrown in as a make-weight. But the hon. and learned gentleman must be aware, that the real accusation against him, and for which he was justly punished, was the selling the office of Master. In that case, too, it appeared, that many persons were ruined by the conduct of those Masters, by whom their property was dilapidated. But was there any point like this in the case now under consideration? Was there a single breath of censure directed against the conduct of the nobleman who filled the office? No complaint whatever existed, except that he laid the money out in government securities, instead of letting it lie dead in the Bank. Not an instance could be adduced where the money was not forthcoming the moment a suitor demanded it. In conclusion the hon. and learned gentleman observed, that, if the Bill were passed without the clause which had been proposed, it would be breaking in on a vested office, a species of property which he considered no less sacred than a freehold estate, and thereby be the means of invading one of the most sacred rights of the subject. He considered that any interference with the Registrar's investing the suitors' money, under existing circumstances, would abridge his rights. It was illegal, unconstitutional, contrary to sound and honest principles, and, therefore, an act they had no right to do.

Sir *S. Romilly* explained, contending that the hon. and learned gentleman had mistaken his allusion to the case of lord Melville.

Sir *J. Newport* agreed with the hon. and learned gentleman that the question simply was, whether the money should be dead in the Bank, or fructify for the benefit of the Registrar of the Admiralty? What was the nature of the office? It was one, by virtue of which the person executing its functions was entrusted with the money of the suitors—not only the property of persons in this country, but of foreigners. Now, was it right that those sums should be appropriated to the benefit of the individual holding the office? He contended that it was not; and, therefore, he opposed the clause, which could lead to no good; but, by giving the sanction of parliament to such a principle, might produce much injury. He deprecated any allusion to the person who now filled the office, which might tend to bias the judgment of the House. The question was not who lord Arden was, or whether he was more or less trust-worthy: no, the point for discussion was, whether the money of the suitors should be placed beyond all hazard, until the law decided to whom it belonged, and when it should be paid. It was not a question of person, but of principle. The hon. and learned gentleman had said, that they had no right to interfere with this office: but, he would ask, how many were the public offices with which they had interfered? He denied the inference drawn by the hon. and learned gentleman from the circumstance of an increase of salary having been granted to lord Melville. His salary, it was true, was augmented—and why? Because the increased duties of the office called for an increased compensation. He was decidedly hostile to the clause; and he considered it better that the public should forego any benefit which might be derived from the regulation of the office, as originally intended by the Bill, rather than parliament should sanction such a principle as that involved in the noble lord's proposition.

Mr. *Bathurst* observed, that there was

nothing in the case of lord Macclesfield which applied to the present question. In the former, facts of great atrocity were substantiated; but, in the present, the question related to a person, whose name, character, and fortune, were long before the public. The Registrar, as the office at present stood, not only ran the risk, consequent on his custody of the money, but also secured the suitors from risk. A suitor, for instance, would say, "I have a certain sum of money pending a cause in the court of Admiralty, and I do not wish to run the risk of placing it in the funds, where it may be endangered by the fluctuation of the government securities." It was, therefore, left in the custody of the Registrar, who became accountable for it. And unless the House contemplated the insolvency of the noble lord, who now filled the situation, it must be admitted that he freed the suitors from the risk attendant on any fluctuation in the funds. In supporting the clause introduced by the noble lord, he gave no opinion as to the legality or illegality of putting out the suitors' money at interest; but he contended, they had no right to take from an individual a profit which he had always enjoyed. They should, in his opinion, grant every indulgence to the individual now holding the situation as long as he continued it.

Mr. *H. Martin* denied that the present Registrar of the Admiralty had always received those emoluments, and he denied it on the evidence of lord Arden himself. By referring to the twenty-seventh Report of the Finance Committee, it would be found, that in the year 1798, when the return to the committee was made, the only emolument attached to the office was the fees. He did think that the case of the Masters in Chancery, connected with the impeachment of lord Macclesfield, bore directly on the question under consideration. When a regulation of the situation of Master took place, in consequence of that impeachment, was any recompence made to the eight solvent Masters? Certainly not. A general regulation of the office took place; which extended to those against whom there was complaint, as well as to those against whom there was none—it was the principle which was levelled at. It was also particularly worthy of observation, that lord Macclesfield denied his having granted permission to any of the Masters to make use of the suitors' money, as they had done; the inference from which was, that he considered such a use of it, for individual advantage, as illegal. And he thought he did not go too far in saying, that any officer procuring emoluments in a similar manner, namely, by using suitors' money for his own benefit, was doing that which he had no right to do. The case of lord Macclesfield, he conceived, afforded him an authority, to quote against the hon. and learned gentleman (Mr. Stephen) who had observed that the *onus* lay with those who supported the Bill, to prove, that the profits made by the Registrar were not legal. He could also refer to the case of Churchill, tried before lord Alvanly, in which the court sanctioned, by their opinion, the principle, that if parliament could point out a specific sum, applied by any public officer to his own benefit, in the way of interest, he might make such officer accountable for the profit so derived. And, grounding himself on this authority, he had no doubt, that if the use of any particular sum could be traced to lord Arden, he might be made responsible for its produce. If that were the case, what became of those legal rights which had been so much spoken of? But the fallacy of contending for such a right was still more evident, when it was known, that the judge of the Admiralty Court, if he pleased, might order, by the authority vested in him, all the suitors' money to be placed in the Bank of England. It should also be recollected, that the person filling this office gave no security. This being the case, was it proper that the House should legislate on personal respect? If they admitted such a principle, the time, perhaps, was not far distant, when they would legislate from feelings of dislike and prejudice. He had but one other observation to make, and that was, his perfect conviction, that the principle of the Bill would be entirely defeated, if the clause proposed were annexed to it.

Sir *F. Flood* with some difficulty obtained a hearing, and declared that he had many times wavered about, undetermined on which side of the question he should vote; at one time he was convinced that the clause was proper, at another he was as firmly persuaded of its unfitness. Upon the whole, however, he was inclined to think that lord Castlereagh was in the right, and should give him his support. He sat sometimes on one side of the House, and sometimes on another; but take which side he would, he did not feel that he made a part of the House, and should therefore make his vote as little stationary as his person.

The House divided. For the Clause proposed by lord Castlereagh, 80. Against it, 14. Majority 66.

List of the Minority.

Brydges, sir E.
Courtenay, W.
Combe, H. C.
Finlay, K.
Forbes, C.
Hamilton, lord A.
Newport, sir J.
Rowley, sir W.
Ridley, M. W.
Romilly, sir S.
Smith, ——
Symonds, T. P.
Tavistock, marquis
Western, C. C.

TELLERS.

Barham, J. F.
Martin, H.

ECCLESIASTICAL COURTS BILL.] The order of the day being read for going into a Committee on the Bill for the better regulation of Ecclesiastical Courts in England, and for the more easy recovery of Church Rates and Tithes,

Sir *W. Scott* proposed several alterations, some merely verbal, and others affecting the principle of the Bill itself. Among the latter was one that continued to inferior ecclesiastical courts the power of excommunication, in consequence of the difficulty which he had found in accommodating that part as it originally stood, to all the variety of local circumstances throughout the kingdom.

Mr. *Peel* said, he had contemplated the extension of the provisions of the Bill to Ireland, and had intended to propose a clause for that purpose, but having learned that the member for Armagh had a separate measure calculated for that country under his consideration, he had dropped his design under the impression that the hon. member would bring forward his projected Bill either in the present session of parliament or early in the succeeding.

Sir *S. Romilly* thought the Bill was to be so altered as to deprive it of its chief value, in his estimation, that which went to remedy the serious evils attendant upon the power of excommunication in inferior courts. He wished the difficulties experienced by the right hon. and learned member were distinctly communicated to the Committee. With respect to the intended Bill for Ireland, he had had a conversation with the hon. member for Armagh upon that very subject; and he knew it was his intention to bring in a Bill precisely similar to the one as originally framed by the right hon. and learned gentleman. But he did not know whether he would adopt the alterations now proposed in the Bill before them. And with regard to that Bill, he wished it had gone much further than it did. He could see no good reason, for instance, why spiritual courts should take any cognizance in matters of defamation; why, for slanderous expressions spoken in one case, the remedy was in civil courts, and in another in spiritual courts. He knew that great abuses existed in this part of their jurisdiction. He concluded by repeating his disappointment at the alteration in the Bill relating to excommunication.

Sir *W. Scott* regretted that he should cause the disappointment of the hon. and learned member, but he was compelled to do so from information he had received from different parts of the country. For instance, in the dioceses of Exeter, York, and Chester, much of the ecclesiastical business was performed by the instrumentality of the subordinate courts. He had deliberately weighed the subject, and was convinced that the greatest inconvenience would result from retaining the clauses of the Bill as they now stood; he acted from an overwhelming necessity, and he really did not think it worth while to incur so much practical inconvenience as would certainly ensue.—The amendments and alterations were then agreed to.

HOUSE OF COMMONS.

Monday, May 24.

ROMAN CATHOLIC RELIEF BILL.] The House was called over, according to order. After which, the House resolved itself into a Committee of the whole House, to consider further of the Bill to provide for the removal of the Civil and Military Disqualifications under which his Majesty's Roman Catholic subjects now labour.

The right hon. The SPEAKER, arose and addressed the Committee as follows:

Mr. Abercromby; According to my view of this great measure, in its origin and progress, I must of course be adverse to the present Bill. And I am desirous of taking the earliest opportunity which is allowed to me, for stating the general grounds upon which I think we should now do well to pause upon our proceedings; and also those general principles, which, when applied to the structure of this Bill in its different parts, must lead to such amendments as would destroy its main purpose, namely, the admission of the

Roman Catholics to political power, and the capacity of bearing sovereign rule in a Protestant state.

The basis of our whole proceedings was originally laid down in terms of sound practical wisdom. And the right hon. gentleman (Mr. Canning) who brought forward in a former parliament, out of which the present Bill has sprung, after explicitly declaring that his object was to accomplish a final and conciliating adjustment, declared also, that unless such arrangement could be made satisfactory to all parties, and without conferring a triumph upon either, he himself should no longer think its execution to be desirable.

And now that this Bill, with all its amended and incorporated provisions, is before us, does it appear that this basis of general satisfaction and concord is likely to be established?

What say the Roman Catholics of Ireland?—Have the Roman Catholic laity and their Catholic Board (the hitherto avowed and accredited organ of their sentiments) declared their approbation of this Bill? Certainly not. And so far as we do know of their proceedings, some of their most distinguished leaders and auxiliary delegates, have in three successive meetings, most vehemently declaimed against it.

The Roman Catholic clergy on their part, also cry out loud against its ecclesiastical provisions. The Roman Catholic metropolitan archbishop of Dublin, Dr. Troy, has declared them to be worse than the old Veto. And a vicar apostolic in England, who presides episcopally over the Midland district, and is himself the agent for all the Roman Catholic prelates of Ireland, has denounced them as what all Roman Catholics must abhor, and has declared to the world, that sooner than accept them, they will lay down their lives upon the scaffold.

Of the Protestant millions in this United Kingdom, the large majority of his Majesty's subjects, it is needless to ask, Whether they can be satisfied to place the government, if not the crown of Ireland within the reach of Roman Catholic hands; and to create the means of surrounding the sovereign himself with ministers of state, whose religion must be hostile to his own right of succession to the throne?

This surely is an inauspicious commencement, and might be well taken for a warning loud enough to arrest our progress; for I fear, that instead of establishing concord, we shall only be opening new scenes of collision and conflict.

But, Sir, in proceeding to the consideration of the Bill itself, I think our judgment must be formed by an examination of the system which it seeks to establish, as compared with those general rules and maxims of policy, which hitherto have been deemed fundamental in this constitution.

The elementary principles upon this subject are few and clear, and happily are now admitted by all who share in our debates. It is now allowed, that state expediency and civil utility, not abstract right, must decide in all cases upon the form of government in which the sovereign powers of any state are to be concentrated, and also upon the extent to which its control should be exercised over the natural free agency of the people, in matters civil and religious.

Looking to the strength and tranquillity of a state, in the mode of combining its civil and ecclesiastical authorities, many of the wisest men have hitherto agreed, that it would be desirable, so far as practicable, that the civil authority of the state should be vested in those only who conform to the established religion of the state. But the diversity incident to human opinion, and the liberty of action necessary to a popular state, require also, that such conformity should be exacted no farther than the safety of the government itself demands; and the measure of its danger, is the true measure of exclusion.

And thus it is, that our constitution, as settled at the Revolution, stands upon the joint principle, of excluding from power all non-conformists by a religious test, and of bestowing at the same time the fullest religious toleration upon all the excluded. Upon this principle it is, that the crown itself is holden by a religious test: and the church of England having been found upon experience to be well suited, by the form of its government, to the practice and habits of the English constitution, the safety of the church has been at all times, and deservedly, the object of its earnest solicitude. By the same principles adopted and acted upon now for nearly 120 years, the state has excluded by a religious test all Protestant dissenters from civil and military offices, upon an opinion (rightly or wrongly formed) of their imperfect attachment to the constitution in church and state; and it has also excluded the Roman Catholics from parliament, as well as from all offices, civil and military, upon the score of their alleged defective allegiance.

Some of these exclusions, it is true, have been deemed from time to time to be of less urgent necessity; I mean those which regard the Protestant dissenters: And although it has not been thought prudent to repeal those laws; and although in the memorable debates of 1796, their continuance was vindicated by Mr. Windham, upon the principle of self-defence, and the restraint of mischief from those who might use the powers of the state to subvert it, it has nevertheless been deemed fit to suspend and relax their operation, upon the long experience of the loyalty of the Protestant dissenters, and their exemplary conduct.

Against the Roman Catholics, however, the laws of exclusion have been maintained in permanent force, founded as they were upon the existence of principles imputed to the body excluded; which principles have not appeared to have undergone any subsequent alteration. And from this policy I profess that I do not yet see any cause to depart. For I agree in the opinions, and desire to adopt the language of Mr. Burke, in his Tract upon the Popery Laws of Ireland. "That to exclude the Roman Catholics from all offices in church and state is a just and necessary provision," whatever we may think of their admission into the army or revenue; which in another part of his writings upon this subject (his first Letter to sir Hercules Langrishe) he describes to be only subservient parts in the economy and execution, rather than in the administration of affairs; distinguishing those offices which really guide the state, from those which are merely instrumental.

What therefore I now contend for, as upon a former occasion, is this; that we ought still to withhold from the Roman Catholics all capacity of political power and jurisdiction; but at the same time widely and liberally to lay open before them the field of profitable and honourable reward for distinguished exertions and services, and in matters of religion to render their legal toleration complete.

With this view of the principles which have hitherto guided our ancestors, from the period of the Revolution to our own days, let us apply them to this Bill, and try its merits; taking however into our consideration, not only what it does contain, but also certain other points which it does not contain.

By the leading enactments contained in this Bill, we at once throw open the doors of parliament, and give access to all or nearly all the executive departments, political, judicial, civil, and military.

And first, of parliament, which if carried, I believe both the supporters and opponents of the Bill will agree, must speedily put the Roman Catholics into possession of all their ulterior objects. Take the admission of Roman Catholics into parliament as individuals, or take them as a body: to admit those who as individuals may become the distinguished leaders of parties, and at the same time to debar them from filling the ruling offices of the state, would be to create a most dangerous combination of means and motives; for their natural and legitimate ambition, when baffled and obstructed from advancing in its ordinary career, could then attain its objects only by resorting to the most violent courses: if in parliament, they ought also to be admissible into the confidential service of the crown; but that is another species of mischief equally to be guarded against, and which falls under another head. Consider the Roman Catholics sitting here collectively as a body, there is also much ground for apprehension; their peculiarity of connection must necessarily produce that combination of strength, which, coalescing in critical times with all the other embodied discontent incident to a popular state, would produce an overwhelming force, and endanger the general establishments of the country.

I do not certainly presume to ascribe any such spirit or temper as likely to actuate any known individuals, who might in such an event be returned at any future election; my duty and my disposition alike forbid it; but from such causes, such consequences must naturally and inevitably flow; and I can assure those honourable gentlemen from Ireland, whom I am now addressing, that amongst the many causes which strongly induce me to oppose the present measure, is the firm persuasion, that we should have but little chance of seeing many of the same representatives from Ireland any longer sitting among us.

Of the executive offices, the privy council may be considered as comprising those who hold the seals of all the great and efficient departments of the state; and it needs no words to prove, that they must necessarily sway and direct the government in all its branches. That right, I think, ought never to be conceded.

The bench of justice, if occupied by Roman Catholics (however ably and impartially filled) cannot be expected to administer justice upon Protestant church rights with equal satisfaction to Protestant suitors; to say nothing of the graver cases of criminal justice: and justice which is not satisfactorily administered, is, politically speaking, no justice at all. These therefore are offices which, I think, ought never to be conceded.

As to the general range of other offices, which fill up the functions of the state, I have already declared upon a former occasion, with respect to the military, my perfect concurrence in admitting the Roman Catholics to all the objects of their honourable ambition in the profession of arms, short only of such as are mixed with the political government of the state. And as to those of a civil nature, whether derived from the crown, or obtained by corporate franchise, I am content to adopt the plan suggested by the noble lord near me (lord Castlereagh) that the existing law in England should continue to prevail, and that the admission of Roman Catholics here (so far as regards the sacramental test) should depend upon the same annual bill of indemnity which now covers the case of the Protestant nonconformists. So also as to the admission of Roman Catholics to become what are called independent members of our Universities; excluding them where other non-conformists are now excluded, and admitting them where non-conformists are now admitted; a rule varying in its operation, according to the various statutes which prevail in the several Universities of England, Scotland, and Ireland.

But, Sir, this is not all. There are also other matters, not contained in this Bill, which appear to me to require our attention. Some are of necessary restriction, and others of concession, which the suggesters or framers of this Bill have not condescended to propose; but which in justice to the Roman Catholic body, and to ourselves, we should grant.

Amongst the restrictions omitted, and which ought to have been inserted, stands first, the regulation of all religious houses now existing in this realm, and the not suffering others to grow up. Within the United Kingdom we have at present Benedictines, Franciscans, Dominicans, and almost every other description of monastic order. But the Jesuit funds now at Stonyhurst are alone sufficient to awaken our attention. Of the system of education, indeed, as there conducted, we know only that it is not the same as at Maynooth; and that their young men are afterwards sent out for ordination to the college of the order in Sicily, from whence they are re-imported into this country. And yet these are the persons who are now about to establish themselves in Ireland, for the purpose of spreading their own peculiar and suspected modes of education.

Some provision should also be made for imposing an effectual restraint upon spiritual excommunication, so far as to deprive it of all civil consequences. Many and grievous are the sentences of this sort which are known to have occurred both in England and Ireland, in our own times: and it may be enough now to refer to the melancholy fate of those persons who were excommunicated in 1791, for their civil conduct in these memorable transactions, and whose misfortunes have been so often and so feelingly lamented by the English Roman Catholics. Such sentences are derogatory to the civil rights of the subject, and in this free country they should no longer be endured.

Sir, I complain equally that other concessions also have been omitted, which should have been inserted in this Bill of relief; and more especially those, which respect the legal right of the Roman Catholic soldier to his own mode of worship (a topic heretofore loudly urged within these walls): the exemption also of the Roman Catholics from the obligation to solemnize their marriages in Protestant churches, and the protection of their places of worship in Ireland from insult and outrage, by laws as effectual as those which now prevail in England.

Why were not some provisions for remedying these acknowledged grievances embodied and inserted into this Bill of relief? To peaceable and conscientious Roman Catholics, they could not be otherwise than acceptable. But omissions like these all tend to demonstrate, that religious liberty has not been the real object of the promoters of this Bill, whose provisions and enactments point to nothing but political ascendancy.

With these subordinate concessions, however, I must nevertheless repeat my strong protest against all these larger innovations, which, according to the language of Mr. Burke, tend to change the ruling character of the state. And when it is said, that these dangers are visionary, we reply, that what to-day seems to them unreal, may to-morrow display its reality. All these are departures from principle. The mischief is in making the breach; and if the barriers are thrown down, though the first influx of the tide may be unalarming, it will be too late to repair it, when the full flood is come upon us.

With respect to the proposed guards and securities, which constitute the latter half of this Bill, they consist partly of oaths, and partly of regulations for ecclesiastical appointments, and the restriction of foreign intercourse.

As to oaths:—I do not think they are to be undervalued; but they cannot be accepted without some discrimination. Upon enlightened and honourable minds, I do not doubt their obligatory force. It must not however be forgotten, that the minds of the great mass of Roman Catholic population are in a state of darkness, and absolute subjugation to the priesthood. Of the particular structure of these oaths I shall not now enter into any discussion; a matter upon which the honourable baronet opposite to me (sir John Hippisley) is competent to give the House much important information. But that they are not to be entirely relied upon, is apparent by the very conduct of the friends of the Bill, and by the necessity they have felt of superadding regulations to enforce the same purposes. We must also bear in mind by whom these oaths are to be interpreted, and how they have been interpreted. Nor can we shut our eyes against the notorious fact, that the sovereign Pontiff, not in ancient times, but so lately as in the year 1809, by a solemn instruction to the prelates of his church, has commanded them to distinguish between the passive oaths which may be taken, and the active oaths which may not be taken, by the Roman Catholics of any heretical state; and has declared, that all oaths taken to the prejudice of the church are null and void.

Nor, Sir, are these doctrines to be found only in Italy; it is well known to the honourable baronet, and probably to many other members of this House, that in London also, and within the last eight and forty hours, distinctions of the same sort have been promulgated in the name and by the authority of a leading prelate of the Roman Catholic church, and circulated throughout this metropolis.

As to the regulations of the clergy, and the restrictions of foreign intercourse, for the purpose of giving us some domestic security against foreign encroachments, (whether the concessions now proposed, or any, or none, are to be granted) these, I think, are necessary matters for legislation; I have said so before, and I say so still.

Upon the modes of nomination, I think the commission, as originally proposed, was objectionable with reference to the crown, as well as to the Roman Catholics. The present is less objectionable as to the crown, but probably is not rendered more acceptable to the Roman Catholics: and I should have much preferred the mode of direct appointment by the crown, as I understand from the hon. baronet, it has been practised already in Canada, and, as the noble lord informs us, has actually taken place within his own department, as to Malta.

But, Sir, upon this head I must particularly entreat the attention of the Committee, to the necessity of excluding the regular clergy from all such situations. The regular clergy, it is well known over and above their imperfect allegiance to their temporal sovereign, and their allegiance also to the sovereign Pontiff, owe also another allegiance each to the general of his own order. The general of the order of the Jesuits is to-day in Russia, to-morrow he may be in France; the general of the Dominicans was in Spain, and is now I believe at Rome; and although Dr. Troy, now the titular archbishop of Dublin, is himself a Dominican, I confess I do not wish to see others of the same description in the same situations.

I think also, that to exercise the office of apostolic vicar within this realm, should be expressly prohibited. The apostolic vicars are the direct diplomatic agents of the papal see, governing ecclesiastically half a million of his Majesty's subjects in Great Britain. By their offices they are bound to execute the mandates of the Pope, without the power of hesitation or deliberation; and these mandates, so delivered, the great majority of the English Roman Catholics have conceived themselves conscientiously bound to obey. This was the complaint loudly made by the English Roman Catholics in 1790; and it is for their protection, as well as for our own safety, that no such office should be tolerated within the King's dominions.

The restriction of foreign intercourse, as originally provided for by the supplemental clauses of the right hon. gentleman (Mr. Canning), did not appear to me to be in any degree effectual to its own ends. The mode now adopted is certainly a considerable improvement. But means are still left for withdrawing some branches of this intercourse from state inspection; and the reserve consists in whatever a Roman Catholic prelate shall certify to be "personal and spiritual." Now, this exception may endanger the whole effect of the provision; and here will always be found the ultimate difficulty of securing to the state all the knowledge which it ought to possess, of what may be otherwise concealed under this separate and secret intercourse.

But, Sir, after all, let us not overrate the value of these guards and securities. Good they may be, as measures of state police, and desirable additions to our statute law, whether accompanied or not with any further concession. Let no man, however, mistakenly accept them as that just equivalent for which he is to barter away the strength of our own Protestant constitution.

Amongst the Roman Catholic population of the United Kingdom, their faith in the papal supremacy will continue fixed and unalterable. Their prelates, however nominated, will still inculcate the same doctrine, and bow with the same implicit obedience to the papal authority. And this spiritual jurisdiction, we have been distinctly told by the highest Roman Catholic authority in England, can be completely exercised, if necessary, by mere personal agency; utterly passing by all these ostensible securities, and without the formal intervention of any written instrument or document, or any state control whatsoever.

This, Sir, is that spiritual supremacy of the sovereign Pontiff, however exercised —and let all Englishmen remember it— which lord Clarendon and lord Somers as statesmen, Mr. Locke as a political philosopher, and king William as a sovereign, all deemed to be incompatible with the Protestant constitution of these realms. And this usurped dominion, although it may now be subdued and eclipsed for a time in France, has recently blazed forth in Spain, and we may be well assured never can be a harmless guest, much less a safe coestate, with the government of any country under heaven.

Such is the outline of those considerations upon which my vote will be founded, respecting each of the prominent parts of this Bill. I have thought it better to state them all at once, that the Committee may be spared the trouble of hearing me again at any length in its further progress. But I feel it incumbent upon me to repeat, that in my opinion, the great stand to be made for the preservation of our constitution in church and state, must be, against the admission of Roman Catholics to seats in parliament; a concession which would virtually accomplish, and at no distant period, their admission into every other branch of political power; and an event which I dread, and deprecate, and shall think it my duty to resist to the uttermost.

I therefore beg leave now to move, that the words "to sit and vote in either House of Parliament," in the first clause, be left out of this Bill.

The Clause having been read, and the question put upon it,

Mr. *Whitbread* rose and observed, that the great weight of the right hon. gentleman who had just sat down, and the rarity of his delivering his opinion on public questions, must naturally add to the influence which it was likely to possess with the Committee. He must regret, however, that when some six years ago a Bill was brought in to open the army to the Catholics, the House had not then been favoured with the sentiments of the right hon. gentleman on that measure, which raised such an hideous outcry. Had his friends who originated that Bill, had the good fortune to have unlocked the right hon. gentleman's mouth on that occasion, they must then have been sure of his powerful support. The right hon. gentleman's objection to this Bill was, because, in some instances it went beyond, and in some cases it fell short of his wishes, and yet he took that opportunity of making such an opposition to the Bill (which would have been fair enough if all the clauses had been gone through) as would go to the extinction of it altogether. At the same time the right hon. gentleman told them, that he was willing to admit the Catholics to the honours of the army and the law, excepting judicial situations: he told them of the dangers from vicars apostolic, from Dominicans and others; and yet he would wish to put an end to the Bill before them, in which event, most probably, all opportunity for granting the boons he consented to, and for extirpating the nuisances which he detested, would for many years be lost. The right hon. gentleman had said that the speech of the right hon. member for Liverpool (Mr. Canning) was founded in political wisdom, and then availed himself of some report which he (Mr. Whitbread) had not seen, to prove that the object of the member for Liverpool was not answered, because that had not happened which no one expected—that those were not content whose business it was never to be contented. There never would be wanted discontented auxiliaries of the Catholic Board. There were many persons of this description, who felt that the passing of the Bill now under consideration would be a death blow to their consequence—to whom that individual consequence was every thing, the interests of the Catholic body nothing. As the right hon. gentleman had looked to the proceedings of the Catholic Board, he should have looked a little further, for there had that day arrived a most consolatory Resolution of a body of Catholics in Ireland, which he should take the liberty of reading to the Committee. Although the Bill were not exactly as he should have framed it himself, yet framed as it had been by the best abilities, and by those who knew how to avoid trenching on the scruples of the Catholics, it should have his most hearty concurrence. Mr. Whitbread then read the following Resolutions:—

"At a numerous meeting of the Roman Catholic Board for the county and city of Cork, held at the Bush Tavern, on Thursday the 20th May, 1813. Daniel Callaghan, jun. esq. in the Chair.

"The following Resolutions, proposed by James Roche, esq. and seconded by Robert Burke, esq. were unanimously agreed to:—

"Resolved, That the confidence reposed in the justice and wisdom of the legislature, by our resolution of the 22d March last, has been amply justified. Our cause has met the solemn consideration it deserved, and the most signal advantages have been the result.

"Resolved, That with the spirit and object of the Bill now in successful course through parliament, we are happy to declare our entire satisfaction, and to express our conviction that when in its further progress it shall have received the technical amendments necessary to its perfection, it will be hailed by the Catholics as the great and long wished for charter of their emancipation, and by the empire at large, as the firmest bulwark of the state.

"Resolved, That from a legislature so manifestly actuated by liberal principles and enlightened views, we cannot for a moment apprehend the impositions of any restrictions inconsistent with its acknowledged purpose of conciliation.

"Resolved, That Mr. Grattan continues entitled to our unbounded confidence; imperishable as the monument raised by his mighty labours to his country's happiness and to his own fame, will be the gratitude of the Catholic body to the great advocate of its cause.

"Resolved, That we offer the tribute of our sincerest thanks to the other distinguished members of the Committee, who have so ably co-operated with Mr. Grattan on this memorable occasion.

"DANIEL CALLAGHAN, jun.
"WILLIAM J. SHEEHY, Sec."

He would ask the right hon. gentleman (the Speaker,) whether these Resolutions had not relieved his mind from the dread arising from mis-statement, or ignorance, or misapprehension. The right hon. gentleman was not against the admission of Catholics to the army or navy, and how ludicrous must appear to him the terrors of those who apprehended evils from such concessions, as great as those which, in the right hon. gentleman's opinion, would result from this Bill; as such must be the opinion of the right hon. gentleman. He would pardon him (Mr. W.) for supposing his fears to be equally visionary. The right hon. gentleman would have the Catholics excluded from the bench, although the most galling circumstance which attended the present condition of the Catholics was, that no reward for their labours at the bar was held out. They were to be excluded too, because (as the right hon. gentleman said) in civil cases between individual and individual, they could not be expected to be just (hear, hear, hear!); "to say nothing of criminal cases." He hoped some explanation would be offered of these expressions, which cast such an aspersion on the Catholics. Had not the right hon. gentleman seen in the publications of the day, that the principal grievance complained of by the Catholics was Protestant ascendancy; that whenever a Catholic came before a tribunal, he was prejudged as soon as his religion was known? The Protestant asserted there was no foundation for this—but the effect of the right hon. gentleman's speech was to shew the contrary. The right hon. gentleman had fallen into that common-place and hustings error, of which they had heard so much at the elections some years ago, that because the crown might make a Catholic an officer of state, all officers of state would be Catholics—that when the doors of parliament were opened to Catholics, not a Protestant would be returned. There was to be such a combination in favour of Catholics too, that even the wearer of the crown in Ireland was to be a Catholic. Whence, however, were these combinations to flow? It was not long since petitions on the subject of the Catholic claims poured into the House in such shoals, that it was found impossible to bestow on them the usual attention. To these petitions (it was then contended) were affixed the names of the freeholders of almost all the counties of Ireland, against the claims of the Catholics; and how was it thought, that in spite of their own reason, when all the guards which were boasted of as their security were taken away, these men should say to the Catholics, "It is not proper that you should go into parliament; therefore we will send you there." (Hear, hear!)—The right hon. the Speaker had said, "give them seats in parliament, and every thing else would follow." The dissenters had long had seats in parliament, and had it been found that any danger to church or state arose from that circumstance? The right hon. gentleman had adverted to the opinions of Locke, of Clarendon, and others, on this question. But the Catholic of the time of Locke was as different from the Catholic of the present day, as darkness was from light, not in the tenets of their religion, but in the feelings with which they regarded Protestants. Catholic and Protestant were then violently opposed to each other in their opinions about the right of succession to the crown. The Catholic was attached to a Catholic prince—to the Pretender: the Protestant supported the right of him who held the crown. Both felt an inveterate rancour towards each other, and their differences were inflamed with all the fury of recent animosity. As long as these pretensions to the British crown existed, what these great persons had said certainly carried considerable weight with it; but if the same persons had lived in times and under circumstances, like the present, there could be hardly a doubt,—considering the general liberality of their sentiments, the depth of their philosophy, the soundness of their sense, and the wide and enlightened character of their views,—but they would concur with those who were desirous of putting an end to these disabilities.—If those who supported the Bill should be defeated, upon the clause respecting the admission of the Catholics into parliament, in his opinion the whole Bill was lost. But though the right hon. gentleman should be victorious upon this point, he had not told the House that he meant to take charge of the Bill, and introduce the several provisions which he himself admitted to be highly just and proper, and which he considered as necessary for the safety of the state. He was ready now to make the concessions which had been proposed in 1807. How must the right hon. gentleman have wished to support him and his friends on that occasion, when urging the propriety of these concessions! How anxious must he have been to have had his mouth unlocked, in order to lend them the benefit of his powerful authority! How his heart must have been wrung to see the unsuccessful termination of their exertions! yet the right hon. gentleman had not said, that he himself would undertake to carry forward such a measure, as that which he contemplated in favour of the Catholics, or to impose the restraints to which he had adverted; nor did he give any hint that he would recommend the matter to others. Though there were sitting on his right and on his left, the Gog and Magog (Mr. Ryder and Mr. Yorke) of Protestantism, yet not a whisper was heard about carrying his scheme of conciliation into execution, nor for warding off those dangers which were apprehended from monastic institutions. Really this same danger had been long kept in disguise. The worthy baronet (sir John Coxe Hippisley,) who was to give the House some more information about the Catholic oaths, had, in addition to the Dominicans and Benedictines mentioned by the right hon. gentleman this night, spoken of a society of Jesuits, in a speech which the House would not soon forget, (hear, and a laugh.) He entirely acquitted the hon. baronet of any wish to injure the Catholic cause; but the line of conduct taken by him unquestionably had that tendency. The hon. baronet had undoubtedly given much information on the subject to the House, but it was really too much now to call upon them to say their prayers back again—to convince them first, and then attempt to unconvince them. But it was very singular that the hon. baronet, if he had discovered that so much danger did exist from these Jesuits, had not communicated that discovery to the government, (hear, hear, from sir J. C. Hippisley.) Why had the important intelligence been first given in that House? Did the right hon. gentleman mean, that they should interfere by legislative enactment with these monastic institutions and vicars apostolic? If he did, and succeeded in the object, he would do more towards establishing and maintaining the papal authority in these kingdoms, than had been done by any act, spiritual or temporal, for these hundred years past. Such would be the inevitable effect of interference by the strong hand of power and persecution. But if this Bill should pass the legislature, the most moderate of the Catholics, as evidently appeared from the paper which he had read, would be conciliated; and the wildest of them did not wish that it should pass. If this Bill passed, there would then be no occasion for restrictions upon monastic institutions, for all dangers from such causes would be at an end. The Roman Catholic religion would then have fair play, without being supported by that pertinacious adherence which always resulted from persecution of every description; and the state would certainly be in no danger whatever from that quarter. The argument, that if a part were given, they must concede the whole, had been repeated again and again, and published from speeches delivered long ago in the Irish parliament. When it was proposed in 1807 to make certain concessions to the Catholics, they were met by these arguments; and if the right hon. gentleman were to bring forward even his limited plan of concession now, he would find himself opposed exactly on the same grounds by those who sat near him. They would certainly turn his own argument against him, and tell him, that if so much were conceded, the crown itself might get into the hands of a Catholic. He thought it necessary to notice the very word, and to expose, that even upon the principles of the right hon. gentleman himself, there could be no foundation for his apprehensions; because what he said in that House, backed by the great authorities he had quoted, might otherwise produce a very pernicious impression on the public mind. Those who were adverse to the Catholics would be glad to lay hold of the expression, coming from such high authority, to employ it for their purposes. The public would be perpetually called upon to observe, that the Speaker of the House of Commons had said, that the crown itself might get into the hands of a Catholic, and that he had received no answer. The right hon. gentleman had not adopted the most parliamentary mode of urging his objections to this Bill. His opposition did, indeed, come in the shape of an amendment to one of the clauses of the Bill; but then it was an amendment which affected the principle. If it should be adopted, the Bill would be worth nothing, and, probably, would not be proceeded in any farther; for the right hon. gentleman himself had not stated, that he was now prepared to introduce the provisions which he himself imagined would be salutary. The most beneficial of those good effects which would result from the Bill, would be the bringing Catholics into that House, that Catholics and Protestants might see and know each other. They had not now to contend for the principle, however; the principle had been adopted and sanctioned by the House of Commons. The greatest enemies of concession had been reserving themselves for a last effort, and had succeeded in producing some distrust in regard to the measure among a considerable portion of the community; but notwithstanding this, he was firmly persuaded, that the public mind in England was ripe for the Bill, and that the public mind in Ireland would be conciliated by its passing. Those who had prepared the Bill, would have no objection to agree to any fair and reasonable amendment; and when the right hon. gentleman should be defeated, as he trusted he would be, upon the amendment which he now proposed, he hoped they would have his powerful assistance in their endeavours to render the measure as perfect as it could at present be made.

Sir *John Nicholl* said:

Sir; this important measure has now assumed a new shape, and presents itself to the consideration of the committee under new circumstances. The various supporters of its principle, who before seemed to entertain considerable discordance of opinion upon the detail, are understood to have met and reconciled their differences, and now to offer the Bill in the shape in which they are willing to concur in pressing it forward for adoption. These gentlemen, it is quite apparent, will not consent to any material alteration in the detail, for they hold (quite consistently with themselves) that if any considerable change were to be made, either deducting from the concessions to be granted to the Catholics, or adding to the securities to be required from them, the Bill would fail in its great object; it would not be satisfactory or conciliatory to the Catholic body.

There are, on the other hand, a considerable body of members, upwards of two hundred, who have already voted against the principle of the Bill; and therefore to those members no alteration can render the measure satisfactory; the utmost that can be effected in the committee, is to render the measure less objectionable and mischievous.

There is a third class of members, and probably not inconsiderable in number, who have not made up their opinions upon the subject; who hitherto have not resisted, and some have even supported the progress of the measure, from a desire to see its precise character and extent before they come to any final decision. It is this third class of members whose attention is particularly solicited, and who are requested now to pause, and consider what will be the effect of the Bill if carried in its present form; hoping that by taking this view of the subject, they will feel strongly disposed to insist upon important alterations in the committee;—that they will more especially join in excluding this first clause, which (as has been truly stated by the right hon. and highly distinguished member who opened the debate,) by admitting Catholics to seats in parliament, in effect gives them every thing;—and in the further hope, that if those important changes in the Bill are not obtained in the committee, the class of members referred to will ultimately join, upon the report, in rejecting the measure altogether.

Taking this view of the subject, it is proper to remind the committee that at present the constitution, in all its parts, is fundamentally, essentially, and exclusively Protestant. Not only are the church and the throne Protestant, but the counsellors and advisers of the crown must be Protestant—the officers of state, the responsible conductors of the executive government, must be Protestant—the two Houses of Parliament, the great council of the nation, must be Protestant—the judicial offices must be filled by Protestants—the magistracy must be Protestant—the high military offices must be Protestant—in short, there is no branch or department, not only of the ecclesiastical establishments, but of the civil government of the country, that is not exclusively Protestant.

On the other hand, complete toleration is allowed the Catholic, in the exercise of his religion, in the security of his person, in the education of his family, in the enjoyment of his property—but he is excluded from exercising the powers of the state, the supremacy of which he refuses to acknowledge.

Such being the constitution, it may not be unworthy of recollection that it has attained this form and character, not by some sudden change, not by some violent measure produced by the excitement of temporary circumstances, but slowly and gradually—proceeding on the safe ground of experience—ameliorating itself cautiously and from time to time, as occasion required—applying remedies to evils, and providing securities against dangers as they arose—and thus making progress in improvement till it deemed its own security complete.

Even while the whole state was Catholic in form, and before the name of Protestantism existed, our Catholic ancestors, in the spirit of Protestantism, found it necessary to resist with firmness the pretensions and encroachments of the See of Rome; in proof of which, reference may be had to various acts of parliament passed before the Reformation.

At the Reformation, the Protestant church of England was by law established; but the laws then enacted were found insufficient for its security, or for the preservation of the tranquillity and liberties of the country. Various Acts were passed for further security in the reigns of Elizabeth, James the first, and Charles the first. Upon the Restoration came the Corporation Act, which required all persons, exercising any offices in that branch of the civil government, to take the Oath of Supremacy, as a qualification for their admission. About twelve years afterwards the Test Act, as it is called, was passed, extending the same principle to all offices, civil and military, and requiring the Oath of Supremacy to be taken previous to admission. By some it has been erroneously supposed that the Test Act was directed against Protestant dissenters; the fact is, that Protestant dissenters supported the passing of that Act for the sake of excluding Catholics, though the taking of the sacrament would have the effect of excluding themselves: but that test being only required within twelve months after the admission to office, it in practice has become a dead letter, and does not operate to the exclusion of Protestant dissenters—but the very title of the Act itself is, "An Act for preventing dangers which may happen from Popish recusants."

Up to this period, and for about five years later, Catholics could sit in parliament, and this is used as an argument that they may safely be again admitted—but the argument operates in the contrary direction: they were excluded because by experience they were found to be dangerous inmates, the title of the Act being, "for the more effectual preserving the king's person and government, by disabling Papists from sitting in either House of Parliament."

Notwithstanding all these guards and precautions, the bigotry of James the 2nd and his advisers to Catholicism, rendered a revolution necessary for the preservation of the civil and religious liberties of the country — and immediately upon that event, the Bill of Rights passed, which fixed more permanently and extensively the Protestant basis on which the constitution was built, again requiring the oaths of supremacy to be taken by all persons holding office, and going on to exclude from the throne itself "Papists, and persons marrying Papists." About twelve years afterwards came the Act of Settlement, which seemed to consummate the work, by limiting the crown to the princess Sophia, and the heirs of her body, being Protestants, declaring such limitation to be "for better securing the rights and liberties of the subject."

It is evident therefore, that the giving of an exclusive Protestant character to the constitution in all its branches was upon a principle of general policy, growing out of experience and founded on self-defence and security. This principle of general policy was followed up in the subsequent reigns of Anne, of George the 1st and of George the 2nd, several acts having passed requiring the Oath of Supremacy to be taken as a qualification for those offices, respecting which there was any doubt, whether they were comprehended under former Acts. The same principle was strongly recognized upon the union of England and Scotland, and again upon the union with Ireland, the same oaths being required, and the faith of the nations being solemnly pledged to each other, for the preservation of our Protestant establishments as, "an essential and fundamental part of the union."

Under this constitution thus gradually formed, excluding Catholics not from the church and the throne only, but from all the powers of the state, not in sudden passion, not in angry times, not by one act, but cautiously, step by step, by a succession of acts, and as a fixed principle of policy—under this Protestant constitution, the nation for above a century, has been secure and prosperous and happy, its tranquillity only disturbed by two attempts to restore a Catholic monarch to the throne; and by the more recent insurrections in Ireland, which, though not Catholic in their origin, made use of Catholicism as a stalking-horse and as an instrument to forward the views of those agitators and traitors who wished for a separation from Great Britain.

This is the existing constitution. It now becomes worth considering what will be the constitution, if this Bill in its present shape passes into a law. It is true that it proposes at present to leave the church and the throne Protestant—nay, for their future security, here is a magnificent preamble declaring them to be Protestant permanently and inviolably—but the Protestant character of all the civil and military departments of the government, which at present surround and defend the church and the throne, is to be removed,—the counsellors of the crown, the Houses of Parliament,—the judicature,—the magistracy,—the military—are no longer to retain their exclusive Protestant character. This is a fearful change!! This is a fundamental alteration in the very essence of our happy constitution, which twenty years ago, no man, no set of men would have been bold and daring enough to have proposed, or even hinted at, for the adoption of parliament! All these Acts, which have been referred to, requiring an acknowledgment of the supremacy of the state as a qualification for exercising its powers, these Acts (it is a mere artifice to confound these temperate defensive laws, with those disgraceful penal laws which have sometimes passed in times of heat) these Acts which have been justly called the bulwarks, not of our church only (for that is another artifice to narrow the danger) but of our constitution, or as Mr. Justice Blackstone calls them, the bulwarks of our civil and religious liberties, they are all to be carried off at "one fell swoop,"—by this single Bill,—not extending concession by degrees and removing disabilities with the same caution as they were created for security,—but at once,—and at a time, when the attention of the nation is engaged in a struggle for its existence with a most formidable foreign enemy—when the throne itself is not in the exercise of its full powers,—and when an administration exists, broken into two parts upon this momentous question, affecting the constitution so vitally,—this is the time when this Bill is pressed forward upon the legislature for its immediate adoption!

The Bill proposes to admit into a full share of political power a description of persons who, however respectable, enlightened, and valuable, many of them are as individuals, however dear to us they all are as fellow-subjects, yet professing a religion, the vital character, the fundamental principle of which is, its own infallibility, (not indeed the infallibility of the Pope individually, but of its church), which holds all other religions to be heretical and insufficient to salvation, and therefore, which upon its own principle must necessarily be hostile to a Protestant church and a Protestant throne, and must seek ascendancy and enforce exclusion; a religion, the members of which are under the absolute dominion of their priesthood, and that priesthood swearing canonical obedience and paying blind submission to a foreign power—it is in vain to say that this only extends to matters purely spiritual; the fact is notorious, that it extends itself to all matters civil and political: and in such a religion, when the priesthood shall tell their followers that the question lies between their religion and the civil government, it is easy to foresee, and we already know from experience, which influence will prevail.

This proposed change in the laws, provided by the wisdom of our ancestors from time to time for the security of the constitution and of the liberties of the people, is not founded on any change in the principles of that religion, the profession of which was the ground of exclusion. Its character and its boast are that it is immutable;—"Semper eadem" is the motto of its church. It cannot be suggested, that the Catholicism of Ireland is less under the dominion of its priesthood, or the priesthood less blindly submissive to the See of Rome, than the Catholicism of other countries, or of former times. It cannot be suggested, that the bulk of Irish Catholics are more enlightened, and more tolerant, than the Catholics of other countries;—the reverse seems to be the case in these several particulars; and they have by no means shown themselves more tolerant and conciliatory towards their Protestant fellow-subjects, since these discussions have been going on.

The benefits held out as likely to arise from this great experimental innovation are quite visionary; it has been stated, even with much apparent seriousness, that we shall add four millions of population to the effective strength of the empire!—that religious differences are to be extinguished; and universal harmony and concord to prevail!—nay, that the Protestant establishment itself will receive additional stability! The preamble holds forth "an end to all religious jealousies;"—"an oblivion of all animosities;"—"a binding together in all times to come!" Nothing can be more delusive and extravagant than these suggestions. In respect to these four millions of Catholics, their priests have not been such traitors to their king and country as to prevent their flock from entering into the public service,—they have entered it in their full proportion—and this Bill will not add the amount of a single regiment to the strength of the army, nor of a single ship's crew to that of the navy. Instead of the concord and harmony promised to us, this Bill would be the "beginning of strife," reviving religious struggle, and bringing again into activity the most violent and dangerous passions of the human heart. This perpetual concord and harmony can be really expected by few, except those who either feel no religious preference, or those who are such enthusiasts in universal philanthropy and charity, as to form a very incorrect estimate of the practical characters and passions of mankind. The time is hardly yet arrived when the lion and the lamb will rest in peace together.

An "adjustment satisfactory to all classes of his Majesty's subjects," has been held out to the country; but from the petitions on the table from one class, and from the proceedings and resolutions of the other class, as well as from a memorial this very day circulated by a distinguished Catholic prelate, one of the vicars apostolic, it is tolerably manifest, that the adjustment proposed by the Bill will not be satisfactory to either class.

In respect to its being a "final adjustment," "in all times to come,"—what a vain hope is this! Will the Catholic, or the agitators for them, have nothing further to demand? or because you increase their powers of enforcing their demands, will they cease to make them? Will this fine preamble prevent the Catholics from demanding to pay their own tithes to their own priesthood?—Will it prevent the Catholic priesthood, who now consider themselves to be the lawful possessors of their sees and benefices, and the Protestant bishops and incumbents to be mere intruders and usurpers, who subscribe themselves with their titles of dignity, while they acknowledge the Protestant constitutional primate of Ireland by no other name than plain Mr. Stuart; will the preamble or Bill itself restrain this priesthood, from expecting to become the bishops and incumbents, *de facto et de jure,* that is, to become the establishment in Ireland?—Will a single passage, buried in the midst of this cumbrous oath, in such manner as hardly to be intelligible in respect to its object, prevent Catholics from looking forward to the restitution of forfeited estates (notwithstanding some few of these estates may have got into Catholic hands; for arrangements to compensate the few for the sake of the whole body, will easily be settled)—estates the titles to which are represented to be carefully preserved and registered in the families of the asserted proprietors?—Will not the Catholics cling together as a political body, and act together in every other character, diffused as they will be in all the powers of the state, in order to enforce these demands and to abrogate this "final adjustment?"—Nay, in case of the succession to the crown itself falling on a Catholic, will the recital of the Act of Settlement, and the declaration in the preamble to this Bill, "that the Protestant succession to the crown is inviolable," prevent Catholics under favourable circumstances from supporting the Catholic heir to the crown, and induce them to join in his exclusion, in favour of the next Protestant heir?—These are vain expectations!

It may perhaps be said, the fear of such events is chimerical; if so, why recite those principles in the preamble? Let it be recollected, that at the present moment his Majesty has but one single grand-child upon whom the hopes of the nation rest for the succession to the crown. On whom the right of succession may rest twenty years hence, whether upon a British-born prince or a foreigner, no person can even form a conjecture. Why, then, are these dangers so visionary even in respect to the succession? Who, ten years before the event, foresaw the subversion of the monarchy in the murder of Charles the first? Who, ten years before the event, expected the restoration of that monarchy? Who foresaw or expected the glorious Revolution which so firmly fixed the present happy constitution on its Protestant basis? Who, ten years before the event, expected the downfall of the ancient French monarchy, and the erection upon its ruins of a most barbarous and savage republic; followed again by the most arbitrary military despotism ever sent as a scourge to visit the world? Human foresight is but of short extent; and is best employed in providing securities against future dangers.

It is against the danger of domestic contest for power and ascendancy, that the great difficulty presents itself of providing securities in any degree adequate to those securities so wisely provided by our ancestors in the laws already referred to. Of foreign influence stirring up rebellion, while the constitution possesses its present guards, there is no great reason for apprehension; but it will be a very different question if those guards shall be removed. The Catholics are loyal to the monarchy; they are attached to their country; and would bravely defend both against a foreign enemy: but does it follow from thence, that they would not wish for political ascendancy over Protestants? that they would not prefer a Catholic throne or a Catholic church to those which are Protestant? that they would not be constantly at work to gain that ascendancy, and would not have a better chance of success, when they should participate in every branch of the civil government of the country?

We are yet told, that the Protestant establishment will be rendered more secure! that the powers of the Catholics will not be increased! that every thing in effect has been given them already in the elective franchise! for, having given that, you have it not in your power to withhold the remainder! These arguments appear strange; and the last of them, if founded, would go the length of warranting the resumption of the elective franchise; but although the argument is unfounded in its extent, and there exists neither the necessity of granting every thing, nor of resuming what has been already granted, yet it strongly fortifies the expediency of standing firmly where you are, and not increasing the political power of the Catholics, until it be manifest that the body of them shall have shaken off the despotic dominion of their priesthood, and the priesthood shall have withdrawn its blind submission to the See of Rome.

It seems most strange to maintain, that the power of the Catholic would not be increased, and the security of the Protestant throne and Protestant church, would not be weakened by these concessions. Put the case of a future sovereign, being secretly disposed to Catholicism, or being so illuminated by modern liberality as to have no religious preference, but happening to have a popular Catholic minister. Would not that sovereign or that minister, (though observing some caution in the execution of the purpose) surround the throne with Catholic counsellors? Would not Catholics be introduced into the great offices of state—into the houses of parliament—into the courts of justice—into the magistracy—into the high military commands—and, in that case, with four millions of population, blindly devoted to their priesthood, would there be no danger of a Catholic establishment in Ireland, in violation of our solemn faith pledged to the Protestants of Ireland at the Union? Nay, under such circumstances, more especially if there were a disputed succession, would there be no danger to the rights and liberties of this country—no possible chance of an attempt at Catholic ascendancy? The attempt would probably be made, although the prospect of such circumstances arising may not be very near. Its success would be in the hands of Providence. The spirit of our Protestant ancestors would probably arise to defeat such an attempt; but the conflict itself would be a great national calamity,—a calamity from which we should be most anxious to protect our children, and our children's children, by handing down to them the constitution in its present Protestant form and character, and by resisting the innovation and inroad attempted to be made upon it by the present Bill.

Mr. *Ponsonby* said, the right hon. the Speaker had expressed considerable disapprobation that the framers of the Bill had not drawn it with reference to the religious disabilities of the Catholics; but he (Mr. Ponsonby) believed that the instruction given to the Committee, was to bring in a Bill to remove the civil and military disabilities under which the Catholic inhabitants of these realms laboured, and he did not know how they could go beyond the instructions which had been given to them. He wished to obtain, by the Bill, relief for the Catholics from grievances under which they laboured; and the object of the Bill was, as to civil rights, to produce equality amongst all his Majesty's subjects. The right hon. the Speaker had contended, that if the first clause were to stand part of the Bill, which clause was to permit Roman Catholics to become members of parliament, it would go to destroy the British constitution in church and state. Now, he, on the contrary, thought the adoption of that clause necessary to prevent the destruction of the British constitution, and necessary for the security of the Protestant establishment. The right hon. and learned gentleman, who spoke last, had said, that if by this act Roman Catholics were admitted to parliament and the high offices of the state, they would quietly, gently, imperceptibly, hardly knowing it themselves, become masters of the country, and overturn the crown. Quiet advancement to the first offices in the state, unknown to any person, was rather difficult to conceive. If a Roman Catholic were advanced to be Lord High Admiral, would it not be known? If he were made Lord Chief Justice, would it not be known? If a Roman Catholic general were to gain a victory, would it not be known? Were a Roman Catholic admiral to bring an enemy's squadron in triumph into a British harbour, could that be concealed? According to the right hon. and learned gentleman, nothing would be known until the whole plot was ripened and prepared for a sudden and dreadful explosion. Did the right hon. and learned gentleman, who laid so much stress on this part of the Bill, mean to contend, that if such a plan were formed, that no discovery would be made until the plot was ripe for execution? Suppose ten, fifteen, or twenty Catholics, returned to that House,—they were to turn out all the Protestants,—ten or fifteen Roman Catholics to turn out 638 Protestants; or even the Catholics, by their talents, eloquence, or interest, would persuade the Protestant members of that House to overturn the British constitution in church and state? However, to understand usefully it was necessary to understand practically. Let the House suppose a Catholic sitting by the right hon. and learned gentleman, and that the Catholic had some measure to advance, favourable to the Catholics: he would not openly say, I have a measure favourable to the Catholics, and inimical to the Protestants, to carry, give me your support: but he would probably say, I see you and your friends are anxious to carry a certain measure, I and my friends, the Catholics, will support you, if you and your friends will support us in a measure in which we feel a warm interest. Would the hon. and learned gentleman enter into such an agreement? It was not possible for the Catholics to carry on such a plot, without being detected. If the Catholics should attack the Protestant settlement, as to the crown or church, how would they be treated by their Protestant fellow-subjects, who in their generosity had conferred upon them an equality of rights? It was impossible for the Catholics to effect any thing against either, if they were even wicked enough to be willing. The right hon. and learned gentleman had said, it was impossible to predict who will sit on the throne of these realms twenty years hence; it certainly was impossible to predict who should sit on the throne, or who should be dean of the Arches at that time: but let the crown rest where it would, he was confident the House of Lords, and the House of Commons, would not concur in subverting the constitution. He thought there was great security in allowing the Catholics seats in parliament: he liked to see men openly and responsibly giving their opinions—the sentiments of the Catholics would then be known by the House of Commons and by the people of these realms. Was it possible to subvert our religion, and the settlement of the crown? If any other person but the right hon. and learned gentleman had stated those fears, he should have called them nonsensical. Was it to be supposed, that we would give up to others our property and religion? Did the right hon. and learned gentleman suppose that the House would become Catholics, or that they would prefer a Catholic prince? Would he tell the Committee, where the Catholics could get the power?—those who gave could take away. Suppose a plot, by the Catholics, through the means of members and of able speakers, to subvert the constitution. If the House and the people, were to know of such a plot, would they leave them the power? There was no Protestant who would not be willing to deprive them of privileges that they wished to abuse: but these were imaginary fears. The only clause in the Bill of real value to the Catholics was the first. The only clause of value to the Protestant was the first. If they were defeated as to the first clause, which, he trusted, they would not be, he would care little for the rest. The Test Act had been called an Act enacted by the wisdom of our ancestors, and had been stated to have been passed, in order to prevent the Roman Catholics sitting in that House; which statement was true, but not to the full extent. The Test Act was passed principally with a view to turn out lord Clifford, a minister obnoxious to the nation, and to a large party in that House. But if it were allowed that that Act was devised by a state necessity, the gentlemen on the opposite side must, in their opposition to the Bill, shew that the same necessity still existed: but, surely, no person could say that the state of things was now the same as then. The right hon. and learned gentleman had spoken of the blind obedience shewn to the See of Rome, and stated a recent occurrence in Spain as a proof. It was strange how differently the same things appeared to different minds,—it furnished to him conclusions of a very different nature: that the spirit of papacy was still aspiring and restless was a matter of no importance to him; there was no national clergy at present in existence in a humour to comply with it. Did the clergy in Spain obey his directions? The principal was to keep them a secret from the government, that in the way the right hon. and learned gentleman had described, the plot might go on quietly and imperceptibly until it should explode, but the clergy communicated it directly. The spirit of papacy, the spirit of every priesthood, was to govern men as rigidly as possible, if men would submit. He looked to the laity, he would never rely on a priest; the priesthood, when it found people instructed and unwilling to submit, conducted itself with propriety; but if it were otherwise, it always abused its authority. He felt persuaded, that the Catholics of the present day would be very unwilling to submit, as the Catholics did in the time of Charles the second. They would resist with the greatest vigour any foreign power that would attack their own authorities. The Test Act, the great security of the constitution, as it was called, was not mentioned in this Bill, although it was mentioned in the first Bill. He intended to support the Bill, generally, as conceiving it to be of great public utility, although there were parts of which he did not entirely approve. He did not wish to be misunderstood: he always wished to express his opinion boldly and openly; and if the Dissenters should petition for the repeal of the Test Act, he would support them with all his power. It had been said, that the Bill had not given general satisfaction: he did not know whether that was fact or not, but if it were meant that it did not give universal satisfaction, that was not to be expected. He would say, that the Catholics ought thankfully and gratefully to receive the Bill,—a Bill which opened to them the highest offices of the state; which enabled the English Catholic to vote for members of parliament: and a Bill which opened both Houses of Parliament to both English and Irish Catholics. He could not believe, that it did not give satisfaction to the Roman Catholics. If it did not give universal satisfaction, it only met with the same fate as others. If a free government were never to legislate, except when its measures met with universal satisfaction, its business would be very light; it would never have to legislate at all. It was sufficient if the Bill gave satisfaction to reasonable men; great public benefits were likely to result from it; it was the triumph of truth, liberality, and wisdom, over bigotry, selfishness, and superstition. It would unite a great mass of the people, in defence of the liberties of the country, and in defence of the constitution. To unite the Roman Catholics to their fellow-subjects, was a measure of the greatest importance: no measure since the Revolution was of equal importance with the present. He felt great satisfaction in stating, that those excellent persons with whom he was in the habit of acting, had been governed on this occasion by the most liberal policy,—quite distinct from party politics; and he must say, they had gone beyond any party in yielding their opinions, in order to unite the people of Ireland with the people of Great Britain. If the Bill had defects, it was for those who saw them, to remedy them; and he thought every person was bound in duty, to propose such amendments to this great measure as he thought necessary. Without this clause, the Catholics would not be conciliated; there would not be security for the Protestants. Gentlemen should not suppose, that granting the Catholics admission to the high offices in the army, navy, and the law, would not make them more eager to acquire the remaining privileges. He would not, for an hour, consider them as satisfied: nor did he think they should be satisfied. Whoever thought he would not be teized by the Catholics to grant the remaining privileges, would be deceived, and he thought he ought to be deceived.

Sir *J. C. Hippisley* said the clause had his most cordial support. After the Reformation, the Catholics voted for five reigns. When the question for expelling the Protestant bishops was proposed, 24 Catholic peers voted against the motion. Having been subjected to the animadversions of the right hon. gentleman (Mr. Canning), whose speech had been alluded to by the member for Bedford, he must say, that his conduct was consistent. Although the clause in itself had his approbation, yet, as it stood in the Bill, he could not give it his support: but he would not give it his negative. Of the right hon. gentleman he could complain, but he demanded no reparation; if the right hon. gentleman could excuse himself, it was sufficient. The principal charge made by the right hon. gentleman against him was, that by his motion for a select committee, he wished unjustly to gain time: but year after year, he had asked for a select committee, and so little injurious did the right hon. gentleman think it, that he promised, if it were not proposed as an amendment to the right hon. gentleman (Mr. Grattan's) motion, he would support it afterwards. He had only moved for papers on or near the table, and his right hon. friend (Mr. Canning) could not look back to that box without regret, out of which he had gained the information he had given with so much effect to the House. The Bill had been carried by physical force, not by discussion; and he would predict that the triumph would be short which had arisen from the indecent precipitation of the Bill, when the House should come to its senses. He hoped he should have frequent opportunities of delivering his sentiments in the course of the Committee.

The *Chancellor of the Exchequer* intreated the House to consider at what time they were called upon to pass this Bill. It was at a time when the spirit of Papacy was as aspiring as ever. It was said that the clergy of Spain did not support in a late instance the pretensions of his holiness the Pope. This was not to be wondered at. The temporal authority of the hierarchy of every country, as well as Spain, had been always subject to the controul of the state. It was upon this principle that their Catholic ancestors had passed so many laws to confine the pretensions of the See of Rome. With respect to the different orders of the regular Roman Catholic clergy establishing themselves in this country, when it was considered how dangerous their power had been in other parts of Europe, the government should look to them at least with a view to regulation. The right hon. gentleman spoke at some length, but in so low a tone, that he could not be heard in the gallery.

Mr. *Tighe* spoke strongly in favour of the Bill. He could not think, or admit for a single moment, that his countrymen would be so absurd, even as Catholics in their elective capacity, to return Catholics to parliament, who might in their conduct prove detrimental to the Protestant interest and the present establishment. He contended for the civil rights of the Catholics, which he deemed altogether unfair to be confounded with their ecclesiastical regulations. For himself, he had on all occasions contended against the interference of all foreign jurisdiction; and he should continue to adopt that line of conduct, from a conviction that he was fully sanctioned by the precedents of independence and national spirit evinced by the Catholic kings of this country. If gentlemen were desirous of considering the question in its proper light, they would rather revert to the practice of the government, and the opinions of the people of the country, when the Catholic religion prevailed, than to the reproaches which were thrown out against it. They would then find, that amidst all the attachment and devotion so decidedly manifested for that religion, both the princes and the population of the country were determined to maintain its independance against the interference and jurisdiction of any spiritual power. The right of the Pope to nominate to bishoprics had been almost constantly opposed, and he could adduce, with peculiar satisfaction, the triumphant issue of the contests which had been carried on against the sovereign pontiff by several archbishops. This history, however, he would not take, as a learned civilian (sir John Nicholl) had done, from the preambles of statutes enacted to suit the views of the minister of the day—to gratify prejudice, passion or party. But he would refer to higher unprejudiced and indisputable authority, and from such authority it was to be collected, that our Catholic ancestors had been most anxious to guard against the interference of foreign jurisdiction. This was particularly evident upon the enactment of the statutes of Premunire, when archbishop Courtney, who was primate and chancellor of England, solemnly protested that the Pope had no right to nominate to any diocese in this country, or to excommunicate any person, or to interfere in any nomination of bishops, or other ecclesiastical dignitaries, which belonged of right to the crown. This protest, which was upon record at the Tower, he would advise Dr. Troy, and Dr. Milner, and others, to look at before they ventured again to write or speak with such confidence upon this subject. But the protest of archbishop Courtney was not the only instance of Catholic resistance to foreign jurisdiction, for bishop Fisher strongly withstood the pretensions of Pope Martin 4, to assert that jurisdiction. So strong and decided, indeed, was the resistance of bishop Fisher, that the Pope suspended him. But what was the conduct of the bishop? why, that he appealed to a General Council against the Papal Decree, and by the Lords and Commons of this country he was sustained and vindicated, so as to prevent the Pope from taking any farther proceeding against him. With such evidence, then, as to the principle of our Catholic ancestors—as to the principle of Catholic divines in resisting the interference of the Papal jurisdiction, at a period, too, when the Papal power was at its utmost altitude, he could not without astonishment, contemplate the alarm which appeared to prevail in some minds upon this part of the question. The honourable member concluded with exhorting the House to discard the prognostics of imaginary danger which had been pressed upon its attention by those who professed more solicitude for Ireland than its own representatives, and to act upon this great question, agreeably to the maxims of justice, liberality, and sound policy.

Mr. *Bankes* expressed his surprise that gentlemen who, he was persuaded, felt as much solicitude for the security of the church establishment as himself or those who thought with him, could consent to pass a clause of this nature. If it were passed, he declared his inability to comprehend how the church establishment in Ireland could remain for twenty years; for in that country, according to a great authority (Mr. Plunkett), whose absence on this occasion he regretted, it would not be long before the Catholics in Ireland bore the same proportion to the Protestants in property as they now confessedly did in number. Then if Catholics should be admitted into the legislature, was it not reasonable to calculate that the whole of the Irish representatives were likely to be chosen from among the Catholic body, and, with 100 Catholic members in that House, was there not good ground to apprehend that they would diligently seek their own object—that they would struggle, first for the removal of any restrictions which, under the name of securities, might be now imposed upon them, secondly for the attainment of equality, and next for the establishment of their own church. He begged gentlemen acquainted with the nature and efficiency of party to consider how such a number of Catholic members, linked and connected together for one common object, were likely to operate. Would they not naturally endeavour to recover that church property, and that ecclesiastical dignity which they generally deem their right, which every conscientious Catholic must desire in his heart? What security could an oath permanently furnish against such danger? for that oath might be repealed; but if the opinion of Dr. Milner were to be consulted, as it appeared in his publication, and that opinion was likely to have considerable influence with the whole Catholic body, the plan and object of the proposed securities must fall to the ground. No securities, however, could, in his judgment, be effective for the protection of the church in Ireland, if the Catholics were admitted into the legislature. Archdeacon Paley had maintained the position that the established religion should be that of the majority of the people, and when such a position had been advanced by a Protestant divine of distinguished authority, was it chimerical to apprehend that the same position would be urged with peculiar industry by Catholic divines in Ireland, where the Catholics numerically so far exceeded the Protestants?—But was it possible that any gentleman could seriously suppose that this measure, even if it passed in its present shape, could be regarded as a final adjustment with the Catholics—that the legislature would not be called upon to go farther? Those who could answer in the affirmative would, he was persuaded, betray a total ignorance of the Catholic body, with such an hierarchy at its head, and with such agitators as were in the habit of moving that body, would indeed argue most childishly. When Mr. Pitt, chiefly at the instance of lord Melville, consented to make such material concessions to the Catholic body in the year 1793, these concessions were most inconsiderately supposed, a final conciliatory adjustment, that there would be no occasion to go farther; and was it necessary to observe, that when such a fatal error was committed by two such eminent statesmen, by statesmen to whom the framers of this Bill were, with all deference, so inferior, at least to Mr. Pitt, it was rather improbable that those framers had found out the secret of effectually tranquillizing the Catholics; of removing all apprehensions, and healing all animosities. He very much feared that it was idle to look for such a final adjustment upon this subject. The Union he remembered to have been termed a final adjustment, but instead of so proving, it was among the mischievous consequences of that measure, and it had produced many, that parliament had since it passed been so very frequently teazed with this Catholic question, and he feared that it would continue to be so teazed. But yet, until he could clearly see his way to some plan for effectually allaying all animosities, for safely conceding upon this subject, he would proceed with peculiar caution. Upon such a question, he forcibly felt the propriety of legislating step by step—of proceeding by degrees, at least till the period for safe compliance with the Catholic claims should arrive. And yet he must frankly confess that he could not at present foresee such a period.—Here the hon. gentleman adverted to the long struggle for rank and power between the Plebeians and Patricians of Rome, in which struggle the former pressed so strongly their claims to reward and distinction—for they too spoke of their services to the state—of their blood shed in its defence, &c. And what was the result? Why, that the Plebeians were at length rendered eligible to the office of consuls, but still being in the habit of deferring to the Patricians individually, Patricians were uniformly elected to the consulships, until a decree was passed, ordaining that one of the consuls should always be a Plebeian. Some similar division of power between Catholic and Protestant would, he feared, be finally selected should this measure be acceded to—possibly a Catholic establishment for Ireland, whilst a Protestant establishment might exist in England.—The hon. member concluded with expressing his conviction, that if the clause under consideration were allowed to pass, the proposed securities would be of no consequence, and that parliament would continue to be teazed upon this subject just as often as the agitators in Ireland should think proper; therefore he would on this occasion make a decisive stand against the measure.

Lord *Castlereagh* said, he had already stated his general impressions on the leading views embraced by the Bill, therefore he would not trouble the Committee on the general question, but would confine himself as closely as possible to the clause respecting the admission of members into that House. He concurred with the right hon. the Speaker in opinion that the other clauses were of less importance than that one—for it contained the essence, and formed the leading feature of the Bill. If they failed in carrying that clause, he thought they would fail to carry what he considered to be of the most salutary tendency in the whole measure. He felt it to be the essential feature of the whole Bill. To reject it would be to say that the House never would be prepared to give to the Catholics any thing like an appearance either in the state or in the government; and, to say that they were ready to give them state appearance, he deemed to be the essential and main feature of the Bill. The state of the Roman Catholic religion—the situation of the head of its church, were circumstances that showed the necessity for making arrangements to protect the Protestant establishments; but he did not think that they afforded such strong grounds against the measure as the expediency of it adduced arguments in its support. He firmly believed that there was that species of restraint on them, arising out of the expediency of it at the present moment, that they were called upon to enact some substantial constitutional measure for the relief of the Catholics. The policy of the measure might be called into doubt by some external proceeding; but by admitting the Catholics within their own pale, they gave them a pledge of the sincerity of the wish to become friends, and they thereby armed them against all foreign and domestic danger. This would be establishing a confidence that would be useful to the state and to the country. The Bill proceeded on the principle of promoting mutual confidence, and thus would they have a shield which in times of danger would protect both Protestant and Catholic. He would meet the Catholic, and would pursue what would promote their common interests. He would shew that he was prepared to act with them, and that would produce what was wanted — mutual confidence; and he would not be deterred by any hypochondriacal views of danger to the constitution. But it was said this would not be a final measure—the Catholics would still have something to propose. Would it not be strange to say that any thing that was done by parliament was final; indeed, would it not be a great tax on human wisdom to say any thing of the kind? No question could be fairly said to be final—to be set at rest for ever. But why should that idea alarm them?—The idea that the present measure would not set the question at rest, if they felt in their own minds that they were strong enough to embark with the Catholic? If they did so, and treated them as friends, he felt no doubt as to the ultimate success of the measure in promoting the security and peace of the empire. With respect to minor questions, on his conscience he believed that they would be of easy regulation when once a mutual confidence was established between the Protestant and Catholic. Let them be treated as friends, and he solemnly believed that they would not be found to throw much obstruction in the way of a complete arrangement. The House must feel themselves strong enough to act on such a principle—to embark with the Catholic without any vain and groundless fears, and wisdom called on them so to act—to make the Catholic a friend, which only could be done by establishing a mutual confidence. The proceedings of the Irish Catholics in 1793 had been referred to; but that measure had sown the seeds of dissention, by promoting the annual discussions of questions relative to the Catholics. This was the effect of those proceedings by degrees—step by step: they occasioned perpetual discussion and perpetual anxiety. But if they were to view the great question with statesmen-like minds, instead of wasting it by detail, they would put an end to these annual struggles by establishing some regulations at once that might be expected to meet the whole case. The power of Popery, as it had evinced itself in other countries, had been cited against the present measure; but instead of making against it, he thought it was in favour of it, and that it made the strongest possible appeal to the wisdom of parliament, by calling on them not to lose the opportunity of protecting themselves. If they made the Catholic their friend, and armed him in the common cause, they made the more effectual effort to exclude the enemy. They now had the opportunity of doing this, and they had arrived at that state when they were not open to the insinuations of those who were for ever calling on them to shew the securities that were to be given, as well as the arrangements that were to be made. Before, they had never known what they were discussing, but now they had a clear distinct measure before them. They had at least something to proceed on; and it was gratifying to hear that the right hon. the Speaker had expressed his approbation of the general system of regulations introduced into the Bill. Approving of the general system, as that right hon. gentleman did, it was only to be lamented that he did not carry his approbation to the highest point. The first point in the Bill was the only material one, as he understood, to which the right hon. gentleman objected. As to what had been said respecting certain religious societies, he agreed in opinion with the right hon. gentleman that they ought to be noticed; and he was not inclined to differ from him respecting regulations of the clergy in Ireland—but he did not want to entangle these questions with the one before the Committee. He had no such anxiety, for he was sure, if they succeeded in establishing an amicable interchange between the Catholics and the Protestants, that there would not be found much difficulty to bring about necessary and useful regulations. If he understood the principle on which his hon. friend opposite (Mr. Bankes) had proceeded, and he thought he did understand him, it was, that all innovation on the laws as they now stood, was a violation of the constitution. But he would put it to the House whether such a principle could be acted upon at a moment like the present; indeed, could that hon. member say, looking at the state of public opinion, and at the progress which this cause had made in the public mind, that the security of the empire would be promoted by promulgating and acting upon a principle of permanent exclusion of the Catholics from political state and power? With respect to what had fallen from his hon. friend, he could not agree with him in the views which he had taken; but he was surprised to find that his hon. friend considered it his duty to give an unrelenting opposition to the Bill. The impression upon his mind was, that his hon. friend was not jealous of the principle of the measure so much as apprehensive whether the Catholics would consent to or that House should impose such securities, as would protect the constitution from all possible danger. It appeared to him that there had been too much of a disposition to look to these securities when they appeared to be difficult, and now that specific arrangements for the purpose had been proposed, to overlook the securities and refer the difficulty to the measure itself. Another point which had been much insisted on was, that if the Catholics should but take an oath of supremacy, then all difficulties would be removed. This oath, he was of opinion, they might safely take in the sense in which it ought to be taken; but if they conscientiously believed that they could not consistently take it, their refusal ought to be regarded as highly creditable to their moral character. Though they declined to take the Oath of Supremacy, they were ready to take that which denied that the Pope had any power in temporals. This would remove every difficulty, if there had not been so many mixed cases in which it was desirable to provide against any possible inroad of the power of the Pope. The Bill, however, contained ample provision against these mixed cases by means of the commissioners to be appointed to carry its enactments into execution. But then it might be said, that still some loop-hole would remain, and undoubtedly it would be impossible by any act of legislation to guard against every possible evasion. Was the principle of exclusion that which was to secure the state against foreign danger? Should they not rather if they found themselves strong enough to do so, admit the Catholics into the possession of the privileges of the constitution? By granting to them the rights proposed to be yielded by the Bill, they would inspire them with caution to secure what they had attained, rather than enterprise to seek after further concessions. He agreed that it was in the nature of religious sects to have a peculiar feeling; but if he thought that the Catholics, uniting with other dissenters, would direct that feeling against the state, he should not think of concession. In despotic states, there might be a perfect freedom and independence of sects, but in a mixed government like that of Great Britain, there must be a religion of the state—which religion was in this country Protestant—requiring not only that the king should be Protestant, but that the government and the legislature should be principally Protestant. In his conscience he believed that the measure would not aggravate power within the walls of that House, as the Protestant gentlemen returned upon that interest, were disposed to go further than even Catholic members would go. He called upon the House, therefore, by entertaining the measure, to save the representatives of Ireland the misery of witnessing the continuance of that disquietude which the present state of things was calculated to keep alive. He, above all, deprecated the idea of making the subject of concession an annual question, by which the House should dole out its bounty to the Catholics. He approved of the Bill before the Committee, and the support he should give it was not the result of sudden conviction, but of the reflection of a length of years. Though he was aware that in this he differed from some of those friends with whom he had the happiness to concur and to act upon other questions of national policy, he was persuaded that he should be unworthy of that favour with which he was honoured by them in general, if he had not honestly stated his sentiments on this occasion.

Mr. *Yorke* said, the noble lord had spoken much of the happy state of things which might be expected to result from the passing of this Bill; and could he hope that the effects of it would be such as the noble lord had described, the measure should certainly have his warmest support; but so far from this, he was of opinion, that it would increase the existing differences, and influence the animosity of the parties, by bringing them in contact with each other. The dangers spoken of, it had been said, were imaginary. He could not say what of evil might occur in 20 years; but this he was sure of, that we had been well governed under the laws as they at present stood. These had raised this country to a situation of greater prosperity than any country had ever been raised to before; and he was satisfied if the laws continued the same, that things would go on as they had done. With this confidence, and with the experience of the past, he could not consent to such an alteration in the law as was now proposed. Those anomalies which could safely be removed, he should be happy to see done away, but the present question was, whether or not the Catholics should be admitted to take a part in the government of a Protestant country? His noble friend had admitted that danger was to be apprehended from foreign influence, and he had also admitted the necessity of securities. Now, in his opinion, there was but one security for the Protestant constitution, and that security they were going to give up, for the only real security against the Catholics was keeping them out. When in framing the English constitution, it was declared that it should be a Protestant monarchy, had it been suggested that the king should be authorised to choose Popish ministers, this proposition would have been laughed at. It was undoubtedly meant by a Protestant monarchy, that the king, the ministers, and the parliament, should be Protestant. If, then, this principle were given up, the English constitution would be destroyed. How could they suffer Roman Catholics to make laws for the regulation of the church of England? His noble friend, on a former occasion, had adverted to the inconsistency of his thus observing to the friends of the Catholics, "You set out on the principle that there shall be no interference in any degree with the Roman Catholic church, but would admit the Roman Catholics into parliament to interfere with your own." If this were permitted, what would the church of England say? Admitting Catholics into parliament, and to be ministers, what security had the Protestant church: was not doing this a violation of the compact between church and state? He could not, therefore, agree to this clause, but this thrown out, he had no objection to take into consideration the other provisions of the Bill. Whatever they did he was sensible would not give satisfaction to the Catholics, but he was ready to go as far as he could conscientiously, and to do what ought to satisfy them, and what would be sufficient to content reasonable men. He had understood that the Bill was not to pass till it had been ascertained that the Catholics would agree to the provisions it contained. The commission, however, which was to signify this agreement, would stand for nothing if their decision had not the sanction of one of the episcopal order. From the moment the Bill passed, the Catholics would be entitled to the privileges of the constitution, and while they were suffered to come to parliament, and take a share in the government of the country, he feared the Protestants might look for their security in vain.

Mr. *Grattan* contended, that the objection last urged by the right hon. gentleman against the Bill was utterly unfounded. If the Catholic bishops did not agree to the commission, the episcopacy must expire; what then would become of the alarm arising from it, when there would cease to be any episcopacy at all? The right hon. gentleman thought that great danger must result from the infusion of Catholics into this and the other House of Parliament. In this he should agree with the right hon. gentleman, were the ground on which his apprehension was built at all founded in fact. But, though there were Catholic members in that House, did it by any means follow that the House, in consequence, would become a Catholic body? Surely not. It still would continue a Protestant body, with a small number of Catholic members, making laws for the regulation of Protestants, Catholics, Presbyterians, &c. The right hon. gentleman had set out with a position radically erroneous; namely, that the Protestant and Catholic could not be united. This he denied. There was no civil incompatibility between the two. It was from the penalties imposed on the Catholics alone that an artificial separation was made—a separation which would cease with those penal laws. The right hon. the Speaker seemed to argue, that if the present Bill passed into a law, they would immediately have nearly 100 Catholic members in the House of Commons. This was a conclusion which he denied, nor did he see the smallest reason for the presumption. To prove that such an idea was correct, the right hon. gentleman must shew that the landed property of Ireland was in the hands of the Catholics. The contrary, however, was known to be the fact; and it was also known that it was the landed interest who returned members to parliament. The right hon. gentleman had said, that the present Bill would have the effect of producing a Catholic ascendency in parliament. That he denied. The utmost effect which the present Bill could have, would be to introduce probably seven or eight peers into the other House of Parliament, and 20 or 30 members into that House. Could that be called an ascendency in parliament, considering that there would even then remain on the side of the Protestants a majority of upwards of 600 in the one House, and of about 400 in the other. Yet these were the grounds on which the Catholics were to be excluded from the constitution, and on which an alarm for the safety of the Protestant church was to be raised. The question now was, would the House reject both Catholic emancipation and Protestant security? They had come forward and offered security to the Protestant establishment; and now the House was called on to reject security to the Protestants on the one hand, and liberty to the Catholics on the other. For his own part, while he supported the clause now more immediately under consideration, he thought the other clauses, containing the securities to the Protestant establishment, perfectly necessary for the Bill, and should vote for them as one and the same. The noble lord opposite (lord Castlereagh) had acted a manly part. He had a right to share in the credit arising from the Bill; and he (Mr. Grattan) and the other supporters of the Bill, had a right to share in the odium arising from the accompanying clauses. Notwithstanding the opposition of the Catholic clergy to those clauses, he must say that in doing so they were enemies to themselves and to the Catholic community, and that they must take on themselves the consequence. If the House rejected the Bill, they could not pass the clauses accompanying it. They must therefore, in rejecting the Bill, shew that all apprehension of the Pope and of the Popish ascendency had ceased to operate. They must give up the securities to the establishment on the one hand, and vote for the exclusion of four millions of their fellow-subjects from the constitution, on the other. They must vote equally against Catholic freedom and Protestant security.

Mr. *Bathurst* thought what had fallen from the right hon. gentleman of so extraordinary a nature, that he must call the attention of the House to some of the points he had urged. It had been proposed, at an early stage of the Bill, to postpone the concessions till they saw if the Catholics would agree to grant securities—by the mode now pursued, all would be granted to the Catholics with no prospect of their submitting to them; as was stated by Dr. Milner. He augured, therefore, that the clause of security would be nugatory. He was surprised at the assertion of the right hon. gentleman, that they could not exclude persons from the state but for treason. The constitution and the practice of our ancestors from the time of the Revolution, proved the reverse of this; for by these the religion of the state was held to be Protestant, and other religions were excluded. As for the probability of danger from the Catholics in that House, it did not rest on the number of those who might be chosen in the first instance. But gentlemen on the other side had, in former arguments, told them that the power and property of that body were growing and must grow in Ireland, till they had a decided superiority. And were there no Catholics in England; were there no counties in which there were thousands of them? and ought not the legislature to look beyond the present moment in a measure of this importance? He denied the truth of the dilemma that had been put, and conceived it to be perfectly possible to enact all the securities in the Bill, with only part of the concessions. It was high time for the House to look to the former, after what had been stated concerning religious sects, and the progress of clerical Catholic institutions in this country. The right hon. gentleman had stated, and he begged the House to attend to the very remarkable word—he had stated that he was willing to share with them the 'odium' of the clauses to provide against foreign interference. Whence proceeded this odium? Was it a provision against Papal interference that the right hon. gentleman declared to be odious? It could only come from the body to which he had alluded. Then, where were their securities, or where the principal object for which they entered upon this Bill—general conciliation? He feared that this work of peace was only the beginning of animosities, and he, for one, would not consent to give his vote for an innovation, which involved the downfall of the constitution.

Mr. *W. Fitzgerald* begged to recal the attention of the House to the clause more peculiarly under their consideration. However disagreeable the clauses containing the securities might at first be in Ireland, he was satisfied, before the measure began to operate, that the good sense of the people would have reconciled them to any thing that might at first be unpalatable in the measure. For his own part, he was against the exception of any offices whatever, though he was satisfied, at the same time, that in the introduction of the few exceptions which had been made, the authors of the Bill had best consulted its success.

Mr. *Canning* rose and declared, that like the right hon. gentleman who had preceded him, his object was to recal the attention of the committee to the immediate stage of the Bill before them, the adoption or rejection of which virtually involved the adoption or rejection of the whole measure. That measure involved two distinct considerations, conciliatory concessions to the Catholics, and security to the Protestant establishment. For himself, he was for the clause, because it was the most valuable concession that could be bestowed, and he was still more for it, because in his conscience he believed it would prove the most effective security for the Protestant establishment. Of such paramount importance did he consider it, that he would say it formed the whole matter of consideration that was then pressed upon them. It had been urged, by a right hon. member, that if the present Bill passed they would only be creating a source of disquietude and disaffection for the next 20 years. Twenty years were a long period to legislate for; it was a long period of human life; but, he would say, that whether tranquillity or restless discord were the result, the way not to excite, but to allay them, was to give them vent in that House. Surely it was the part of sound policy to teach the passions of the people to run in a regulated course, rather than to let them break out into wild disorder, aggravated by all that intemperate faction might mix with them of real and imaginary grievance. He had often heard, in allusion to certain characters, if such a man finds his way into parliament, he will do such and such things: his opinion had always been, that every such demagogue ought to find his way among them; he would wish them to carry there their ill-acquired influence; he would almost lend his personal assistance to bring them there; that they might appear face to face with those who meant, and were anxious to maintain the true principles of the constitution. To apply that reasoning to the Catholics, if they should be still dissatisfied with what was done for them, he would ask but this—let the cause of dissatisfaction be pleaded in that House—that they might meet it—that they might discuss it—instead of its being agitated out of doors. He would strip the cause of real grievances, and in bringing it before that House, he would bring it where it could be judged, not by the passions of an irritated multitude, but by the acute judgments of persons accustomed to regard state affairs with statesmen's eyes. Therefore admit the Catholics, perhaps admitting them might be synonimous with disaffection; but, in God's name admit them, for where should disaffection find its antidote so surely as in that House? But, what were the exaggerated apprehensions entertained by his hon. friends? If Catholics now sat among them, if they actually formed a part of the legislature, and the question were to expel them from their bosom, their arguments would be more applicable. Yet the object of their arguments was to give the Catholics a common grievance, and consequently to give them a common bond of sympathy; and that, too, not only as it affected the Catholics themselves, but it was holding up a standard to which all other discontents might flock. Rebellion, however originating, springing from whatever cause, would immediately become a Catholic rebellion; but he wished to take away that colour, and to save that House the reproach of having foregone an opportunity of stripping disaffection of its plea of right. An hon. friend (Mr. Bankes) had maintained, that if the clause were retained, Catholics would acquire an influence in the state which they could not acquire in any other way; he would thus exclude them from the popular part of the constitution, which alone formed any counterpoise to the favour of the crown; and he would expose them to the danger of losing all sympathy with the public. But if such a proposition were adopted, would it be possible to conceive any class of men more cut out for danger—men capable of serving the crown, but incapable of coming in contact with the popular part of the constitution. He really could not form in his imagination any system more fraught with danger. His hon. friend had carried his fears very far, and had given a happy historical illustration of them. If you confer capacity, he argued, you confer possession; and he taxed his memory in the Roman History to shew the only instance in which a capacity to receive had been accompanied with an abstinence from office. For himself, he hoped in God, if the concession were once made, it would have a practical effect, and not be suffered to remain a dead letter. All the objections urged against the clause were of a nature precisely similar to what had been urged before the Union with Scotland; and, indeed, they were urged before the Union with Ireland; and if he was not mistaken, though he would not be quite certain, by his hon. friend himself. If, said his hon. friend, at that time, you admit 100 members from the sister kingdom, you will only knit them more closely, you will make one compact body of them, united for all Irish objects, and throwing their weight into that scale. But let any man look at what had happened, and say if such had been the case? or, whether the representatives for Ireland have not fairly distributed themselves, and in no way adhering, as his hon. friend had anticipated? The same had been prophesied with regard to Scotland, but all such fears were visionary: no one could trace in that House a distinct Scotch, or a distinct Irish interest, and it was equally visionary to talk of a Catholic interest predominating. If he were desirous of ransacking history, he could shew examples of many prescriptions, now happily done away, as severe nearly as those against the Catholics. He could shew some relating to Wales, in which, among other things, any person who married a Welch wife was ineligible to a seat in parliament; and yet, now, his hon. friend was among them, and able to take his part against the Catholics (hear! and laughter.)—With regard to the course which the debate had taken, he must a little complain of it. In all the early stages of the measure, instead of discussing the principle of the Bill, the constant burthen of the debate was, that no securities could be devised satisfactory to any reasonable man: it was therefore idle to discuss the principles: securities, ample and effectual, were the *sine qua non* of the whole business. Well—securities had been devised, and now what was their conduct? There was no more talk about them. They were more satisfactory than they could expect, and therefore they would say nothing about them. If they were against concession altogether, it would have been better to have said so distinctly; but it was rather hard to set them at work to devise securities, and when, with the sweat of their brows, they had devised such as seemed to defy all cavil, to leave them out of the question, and let concession shift for itself. He perfectly agreed with the noble lord (Castlereagh) who had with so much manliness and candour declared his sentiments that night, that if the Bill came out of the committee a Bill of pains and penalties, let those who made it such look to it. He would wash his hands of it altogether. If they succeeded in beating out the Bill, which they would do if they beat out that clause, they must not let to-morrow pass without announcing to the trembling and dejected Catholic, that they had pains and penalties in store for them. He knew not what phantoms, what spectres, what shadows haunted their imaginations; what grisly sprites glided before them in death-like paleness, harrowing up their souls and perturbing their minds; but, he would repeat, if they beat out that clause, he would have nothing more to do with the measure. [Hear, hear!] He would let those sleepy guardians of the constitution, who could see no danger till it was disappearing, possess it wholly. But it was idle to suppose that parliament could separate without doing something for the Catholics, unless they meant to falsify all they had hitherto done. If conciliation was necessary, there (pointing to the opposition bench), sat the friends and advocates of that system: if pains and penalties were wanting, there (pointing to the other side of the House) were those who were ready to bring them forward. He did not envy them the odious task, but such was the burthen which they could not shake from their shoulders. The House had now to decide on a question arising out of an anomaly in the constitution, which deprived a country of the services of a large portion of its population. This anomaly had arisen from the policy of our ancestors, for which we pretended not to be responsible: but if the clause were that night rejected, the fault became exclusively our own: the House would adopt all the blame of their ancestors; the cruelty and severity of the code would become their own work. But God forbid that the cup of expectation, which had been filled to the brim, should be now dashed from the lips of the Catholics! God forbid that any member should sanction a proceeding which he might afterwards contemplate with remorse! After alluding to the stage in which the Bill was, and the manner in which it had been fought, inch by inch, through the House, he continued by saying that every exertion had been made to stifle it in parliament, and the most active canvassing out of doors had been resorted to against it. The question, however, before them, was whether by rejecting the Bill they would dash the highly raised hopes of the Catholics to the earth, and throw them into a state, —he would not say of justifiable resistance,—but into one of trial, such as no people had ever undergone before. But could it really be conceived, that after four divisions in that House in their favour, when those who had opposed the measure had manfully come forward in its support, and when, one after another, all the obstacles had faded away—could it be believed, that having nursed this measure to maturity, having filled the cup to the brim, that now it was to be dashed from the fevered lip of the expecting Catholic who already tasted it in imagination? Was it possible that any man could be induced to vote against the clause? If, however, they should succeed, as perhaps they might by two or three units, would they not be anxiously watching the rest of the year what would be the effect upon the Catholic mind?—With regard to a question which had been put in the course of the debate, whether the adjustment as now framed would be final, he thought it not a very judicious one. "Man, and for ever!" exclaimed the poet, and so might the legislator exclaim. He could say, however, that as far as he and others were concerned, he believed it would be final. The measure gave all that could be required. It combined Catholic concession with Protestant security. In that sense it would be final. It would, also, be so far from calling forth new claims, that it could create an oblivion of all former ones. The right hon. gentleman concluded by saying, that if this clause were negatived, he should not think it worth his while to support the other points of the Bill, but should discharge himself of all concern in a measure which would then be fruitless and nugatory.

Mr. *Manners Sutton* began by noticing what the right hon. gentleman who just sat down had said respecting those who opposed the Bill intending to introduce pains and penalties against the Catholics.

What right or reason the right hon. gentleman had to say so, he could not tell, but for himself he disclaimed any such sentiments. The right hon. gentleman had said the Bill was an equal grant of security and concession. He differed with the right hon. gentleman on this point, because the concession was immediate; the security, on the contrary, distantly contingent.

Mr. *Canning* said, he had no doubt but the hon. gentleman had fairly delivered his own sentiments; but he would be pleased to recollect, that he had not spoken before this night; therefore, what he had said, could not apply to him: but there were those who had said that night, that the restrictions might be retained, though the concessions were not granted. To them he had alluded, and on them would rest the responsibility for whatever consequences might follow.

The question being loudly called for, the Committee divided: when the numbers were,

For the Clause - - - - 247
Against it - - - - - 251
Majority against the Clause—4

Upon the numbers being declared,

Mr. *Ponsonby* said, as the Bill, without this clause, was neither worthy of the acceptance of the Catholics, nor of the further support of the friends of concession, that he would move that the chairman do now leave the chair: which, being carried without a division, the Bill was, of course, abandoned.

The other orders of the day were then disposed of, and the House adjourned at two o'clock.

List of the Majority.

Abbot, right hon. C.
Addington, J. H.
Alexander, J.
Allan, col.
Apsley, lord
Archdall, M.
Astell, William
Atkins, J.
Arkwright, ——
Baillie, G.
Baker, J.
Baker, P. W.
Bankes, H.
Barne, M.
Barry, col.
Bastard, E. P.
Bathurst, C.
Bathurst, W. L.
Beresford, lord G.
Bernard, visc.
Bernard, hon. R. B.
Blackburne, J.
Blackburne, J. J.
Bloomfield, col.
Boughey, sir J. F.
Brodrick, hon. W.
Brogden, J.
Brownlow, W.
Brydges, sir E.
Bootle, E. W.
Buller, J.
Burrell, sir C.
Burrell, W.
Butterworth, J.
Bruce, lord
Bruen, H.
Casberd, R. M.
Calvert, J.
Carew, R. P.
Cartwright, W. R.
Cawthorne, J. F.
Chaplin, C.
Chichester, A.
Chute, W.
Clements, H. J.
Clerke, sir G.
Clive, visc.
Clive, W.
Clive, H.
Collins, H. P.
Colquhoun, A.
Compton, earl
Congreve, sir W.
Cottrell, sir J. G.
Crickett, R. A.
Curtis, sir W.
Corry, T. C. S.
Dickenson, W.
Davenport, D.
Davis, H.
Davis, R. H.
Dawkins, H.
Dawkins, J.
Denys, G. W.
Disbrowe, E.
Drake, T. T.
Drummond, J.
Drummond, G. H.
Duckworth, sir J.
Dugdale, S. D.
Duigenan, Dr.
Duncombe, C.
Edmonstone, sir C.
Egerton, J.
Egerton, W.
Ellison, C.
Estcourt, T. G.
Fane, J.
Farmer, S.
Farquhar, J.
Faulkiner, F.
Fawcett, H.
Fellowes, W. H.
Ferguson, J.
Finch, gen.
Foley, hon. A.
Forrester, C.
Foulkes, F.
Fynes, H.
Fish, admiral
Fetherston, sir T.
Fitzhugh, W.
Garrow, sir W.
Gascoyne, gen.
Geary, sir W.
Gipps, G.
Gooch, T. S.
Golding, ——
Goulburne, H.
Grant, A. C.
Gunning, G. W.
Grant, F. W.
Hare, R.
Hall, B.
Hart, gen.
Harvey, C.
Heron, gen.
Hill, sir Geo.
Hinchinbrooke, lord
Hodson, J.
Holdsworth, A. H.
Holmes, W.
Hood, hon. S.
Hope, gen. C.
Houblon, J. A.
Howard, hon. F. G.
Hume, sir A.
Huntingfield, lord
Holford, G
Horrocks, S.
Innes, H.
Irving, J.
Jenkinson, hon. C.
Jocelyn, visc.
Jervoise, J. C.
King, sir J. D.
Keck, G. A. L.
Keene, W.
Kemp, T. R.
Kenrick, W.
Kingston, J.
Kirkwall, visc.
Kerrison, col.
Knatchbull, sir E.
Lacon, E. K.
Lambe, T. P.
Lascelles, visc.
Lascelles, hon. H.
Leigh, J. H.
Leigh, C.
Lemon, sir W.
Leslie, col.
Lockhart, W. E.
Lockhart, J.
Loftus, gen.
Long, C.
Longfield, M.
Lowndes, W.
Lowther, hon. H. C.
Lowther, James
Lowther, visc.
Lowther, John
Lubbock, J. W.
Lushington, S. R.
Luttrell, J. F. jun.
Lopes, sir M. M.
M'Naghten, E. A.
Maginis, R.
Maitland, E. F.
Manners, lord C.
Manners, gen.
Mellish, W.
Milne, D. A.
Milnes, R. P.
Mitford, W.
Moore, lord H.
Morgan, sir C.
Morgan, C.
Morris, R.
Muncaster, lord
Mundy, E. M.
Methuen, P.
Needham, gen.
Newark, lord

Nicholl, sir J.
Noel, C. N.
Newman, R. W.
O'Hara, col.
Onslow, col.
Osborn, J.
Paget, ——
Peel, R.
Pellew, P. B.
Perring, sir J.
Pitt, W. M.
Pitt, J.
Pole, sir C. M.
Porcher, J. D.
Price, R.
Pechell, sir T.
Porter, gen.
Richardson, W.
Robinson, gen.
Rochfort, G.
Rose, G. H.
Round, J.
Ryder, R.
St. Paul, H. H.
St. Paul, H. D. C.
Saxton, sir C.
Scott, sir W.
Singleton, M.
Scott, S.
Seymour, lord R.
Shaw, sir J.
Shelley, T.
Shiffner, G.
Simeon, J.
Simson, G.
Smith, T. A.
Smith, C.
Sneyd, N.
Somerset, lord C.
Somerset, lord A.
Staniforth, J.
Stewart, sir James
Stewart, sir John
Sterling, sir W.
Strahan, A.
Strutt, J. H.
Sullivan, sir H.
Sullivan, rt. hon. J.
Sumner, G. H.
Sutton, C. M.
Sykes, sir M. M.
[illegible]
Tempest, sir H. V.
Thompson, sir T.
Thynne, lord J.
Tomline, W. E.
Townshend, W. A.
Tremayne, J. H.
Townshend, lord C.
Vansittart, N.
Vaughan, hon. J.
Vaughan, sir R.
Vereker, col.
Walpole, lord
Webster, sir G.
Welby, W. E.
Wemyss, gen.
Wharton, R.
Whyte, M.
Williams, R.
Willoughby, H.
Wright, J. A.
Wyatt, C.
Wetherell, C.
Wood, sir Mark
Yarmouth, earl of
Yorke. rt. hon. C.

Paired off.

Andrews, M. P.
Bradshaw, R. H.
Bruce, James
Best, serj.
Curzon, hon. R.
Gell, P.
Graham, sir James
Heathcote, T. F.
Hope, W. J.
Jackson, J.
Moorsom, R.
Northey, W.
Peel, sir R.
Raine, J.
Smith, Joshua
Yorke, sir Joseph

List of the Minority.

Abercromby, R.
Acland, sir T.
Althorp, visc.
Anstruther, sir J.
Arbuthnot, rt. h. C.
Astley, sir J.
Atherley, A.
Babington, T.
Bagwell, rt. hon. W.
Baring, sir T.
Barham, J. F.
Bective, earl
Bennet, hon. A. G.
Barnard, visc.
Bernard, M. S.
Bernard, T.
Bewicke, C.
Blachford, B. P.
Blanden, col.
Bowyer, sir G.
Brand, hon. T.
Broadhead, T. H.
Birch, J.
Bradshaw, hon. A. C.
Brooke, lord
Brooke, C.
Browne, A.
Browne, rt. hon. D.
Buller, A.
Buller, C.
Buller, sir E.
Burrell, hon. P. D.
Butler, hon. J.
Byng, G.
Calcraft, J.
Calvert, N.
Calvert, C.
Campbell, lord J.
Canning, rt. hon. G.
Canning, G.
Carew, R. S.
Castlereagh, lord
Cavendish, lord G.
Cavendish, H.
Chaloner, R.
Cocks, T.
Coke, T. W.
Colthurst, sir N.
Combe, H. C.
Coote, sir Eyre
Courtenay, W.
Courtenay, T. P.
Cowper, hon. E. S.
Creevey, T.
Crosbie, J.
Croker, J. W.
Daly, rt. hon. D. B.
Daly, J.
Dashwood, sir H.
Desart, earl
Doveton, G.
Douglas, hon. F.
Douglas, W.
Dillon, hon. H. A.
Dufferin, lord
Duncannon, visc.
Dundas, C.
Dundas, hon. L.
Dunlop, gen.
Ebrington, visc.
Elliott, rt. hon. W.
Ellis, C. R.
Ellison, C.
Evelyn, L.
Fellowes, hon. W.
Fitzgerald, rt. hon. M.
Fitzgerald, rt. hon. W.
Flood, sir F.
Fitzroy, lord C.
Fitzroy, lord J.
Foley, T.
Folkes, sir M.
Forbes, C.
Foster, F.
Foster, A.
Frankland, W.
Fremantle, W.
Finlay, K.
French, T.
Gaskell, B.
Gordon, R.
Gordon, W.
Gower, earl
Gower, lord G. L.
Grant, C.
Grant, C. jun.
Greenhill, R.
Grenfell, P.
Grosvenor, T.
Grenville, rt. hon. T.
Graham, S.
Halsey, Jos.
Hamilton, lord A.
Hamilton, sir H.
Hamilton, H.
Hammersley, H.
Hanbury, W.
Harcourt, J.
Heathcote, sir G.
Herbert, H. A.
Heron, sir R.
Holmes, sir L.
Hornby, E.
Horne, W.
Howard, Molyneux H.
Howard, hon. W.
Howorth, H.
Hughes, W. L.
Hume, W. H.
Hurst, R.
Huskisson, W.
Hussey, T.
Horner, F.
Jenkinson, C.
Jolliffe, H.
Knox, T.
Lambton, K.
Langton, W. G.
Leach, J.
Leader, W.
Lemon, J.
Law, hon. J. E.
Lester, B. L.
Lewis, T. F.
Littleton, E. J.
Lloyd, sir E.
Lloyd, J. M.
Lloyd, H.
Macdonald, J.
Macdonald, R. G.
Mackenzie, hon. W.
Maitland, hon. T.
Majoribanks, J.
Marryatt, Jos.
Marsh, C.
Martin, J.
Mathew, hon. M.
Maule, hon. W.
Meyler, R.
Mildmay, sir H.
Miller, sir T.
Milton, visc.
Monck, sir C.
Montgomery, sir H.
Montgomery, sir J.
Moore, P.
Mordaunt, sir C.
Melgund, visc.
Morpeth, visc.
Mostyn, sir T.
Neville, hon. R.
Newport, sir J.
North, D.
Nugent, lord
O'Brien, sir E.
Odell, W.
Ogle, H. M.
Ord, W.
Osborne, lord T.
Ossulston, lord

Palmer, C.
Palmerston, visc.
Parnell, sir H.
Pierce, H.
Pelham, hon. G.
Philips, G.
Piggott, sir A.
Pole, rt. hon. W. W.
Ponsonby, hon. F.
Ponsonby, rt. hon. G.
Portman, E. B.
Power, R.
Poyntz, W. S.
Pocock, G.
Prendergast, M. G.
Preston, R.
Protheroe, E.
Pym, F.
Quin, hon. W.
Ramsbottom, J.
Ramsden, J.
Rancliffe, lord
Rashleigh, W.
Rickards, ——
Riddell, sir J.
Ridley, sir M.
Robinson, rt. hon. F.
Robinson, G. A.
Rowley, sir W.
Russell, M.
Saville, A.
Scudamore, R. P.
Sebright, sir J.
Shaw, R.
Shawe, B.
Sheldon, R.
Smith, J.
Smith, G.
Smith, A.
Smith, W.
Smith, R.
Smyth, J. W.
Somerville, sir M.
Spencer, lord F.
Spencer, Jos.
Stanley, lord
Stewart Wortley, J. A.
Symonds, J. P.
Talbot, R. W.
Tavistock, marquis
Taylor, C. W.
Taylor, M. A.
Thompson, T.
Thornton, H.
Tighe, W.
Townshend, lord J.
Tierney, rt. hon. G.
Vanderheyden, D.
Vane, hon. W.
Walpole, hon. G.
Ward, hon. J. W.
Warrender, sir G.
Warre, J. A.
Wellesley, R.
Wellesley Long, W.
Western, C. C.
Wharton, J.
Whitbread, S.
Wilberforce, W.
Williams, sir R.
Williams, O.
Wise, A.
Winnington, sir T.
Wood, S.
Wrottesley, H.
Wynn, sir W. W.
Wynn, C. W.

Paired off.

Baring, A.
Campbell, G.
Cocks, hon. J. S.
Coke, E.
Ferguson, R. C.
Guise, sir W. B.
Holmes, R.
Jekyll, Jos.
Latouche, J.
Lyttleton, hon. W. H.
Phipps, hon. E.
Plumer, W.
Osbaldeston, G.
Shakspeare, A.
Wilkins, W.

HOUSE OF COMMONS.

Tuesday, May 25.

CIVIL LIST.] Mr. Wharton presented to the House, 1. " An Account shewing the different sums of money applied in aid of the Civil List Revenues, from the 5th of July 1811 to the present time, distinguishing each quarter, and specifying the sources from which the said aids have been derived. 2. A detailed account respecting the fees of suppressed offices, and money issued on that account to William Chinnery. 3. A detailed account of the several sums issued to William Chinnery, late agent for New South Wales, on account of the Civil Establishment there, specifying the dates of the several payments, and the names of the lords of the Treasury by whom those issues were authorized."

Mr. *Whitbread* moved, that the papers should be printed. At the same time, he wished to know whether it was the intention of the right hon. the Chancellor of the Exchequer to bring his motion on that subject forward on Thursday, as he had announced it. This was a most important question, both in a political and financial point of view. The papers, one of them at least, was rather long, still they might be printed in time for the discussion, as it had been appointed, and he only wished to know the determination of the right hon. gentleman.

The *Chancellor of the Exchequer* expressed his determination to bring forward his motion on Thursday, unless the hon. gentleman wished to have it postponed to a later day.

Mr. *Whitbread* declined any such intention, and merely wished to secure a full attendance of members, the question being, as he had said before, most important, both in a political and financial point of view.

The discussion on the Civil List was then fixed for Thursday.

EAST INDIA COMPANY'S AFFAIRS.] Lord *Castlereagh* said, that as he presumed the members were now generally in possession of the evidence which had been gone through before the Committee who had been appointed to inquire into the affairs of the East India Company, he was desirous that a day might be fixed for entering on the discussion of the question itself, and an early one would be more necessary with a view to have as full an attendance as possible upon so important a subject. The subject not being new to the House, as it had been pending for a year and a half or two years, and the communication made to the government by the court of directors having been long before the public, he trusted that he could not be accused of precipitation in proposing that the House should resolve itself into a committee of the whole House, on Monday next, to consider further of the affairs of the East India Company.

Mr. *John Smith* objected to the day proposed by the noble lord as being too early, the House not having had sufficient time to consider the great mass of evidence before them, as some of it was taken so late as Friday last.

Lord *Castlereagh* said, that in the case of the Orders in Council, where the evidence had been as voluminous as the present, it had been delivered in the same way, and the House had proceeded to the discussion of the question within a week after the examinations had been concluded. He should therefore think that it would be trifling with the House on this great subject, if it were postponed a single day beyond that which he had named.

Mr. *Grant* said, his attendance on the Committee, on the examination of evidence, had been so constant and unremitting, that he had hitherto had no time to read over the evidence since it had been printed, and was, therefore, not prepared to go into the Committee, so as to do justice to the question; and though he would deprecate delay as much as any man, he thought the question of far too much importance to be treated with any degree of precipitation.

General *Gascoyne* thought, as the last of the evidence was printed on Friday, there would be time enough between that day and next Monday, to read and consider it. An early day was certainly very necessary, for if it were delayed, it would be impossible to ensure such an attendance as the importance of the question demanded. He hoped, therefore, the noble lord would persist in his motion for Monday.

Mr. *Howorth* did not wonder that the advocates for the outports should wish to hurry on the business; but as the Company were also very deeply interested in the question, he hoped the noble lord would not press so early a day. For his own part, his attention to, and attendance on the Committee, had been so great, that he had never had time to read the evidence since it was printed.

Mr. *Whitbread* hoped that the noble lord would agree to the suggestions made by several hon. gentlemen who had spoken. He thought that the noble lord was not right when he supposed that all the members of the House had already read the evidence. An hon. director, who had himself attended the Committee, had assured him that the mass of evidence produced before the Committee was so immense, that he had not been able to find as yet sufficient time for its consideration; and particularly that part which had been brought forward latterly. He hoped the noble lord would not press the question upon the consideration of the House, on a day so early as Monday next.

The *Chancellor of the Exchequer* was perfectly aware that a mass of evidence of great interest had been laid before the Committee; but time had been given to consider it fully from day to day. Upon the whole, when he combined all the considerations on the subject, he thought that the question should be discussed on a day as early as possible, and that with the view of securing a full attendance.

Mr. *P. Moore* said, this question, which was to legislate for the vast empire of Aurengzebe, Tamerlane, and Zengis Khan, was certainly of the greatest importance, and ought to receive the most mature consideration. He thought Monday was too early a day.

Sir *R. Peel* observed, that the East India Company had at the beginning said they would only detain the House six days in the examination of witnesses; instead of that however, they had taken a month, and at the end of that time they said they were not yet ready. If any impression had been made upon the House, it was in favour of the Company, and not of free trade. He therefore trusted that government would persevere in their intention of bringing the question speedily to discussion.

Mr. *Astell* said, that the question was one of vital importance, and ought not to be hurried.

Lord *Milton* thought Monday by no means too early a day. The sooner they entered on the subject the more time they would have to give it a mature consideration, and full discussion.

Mr. *Tierney* said he was unwilling to ask for delay, and for his individual self he would not ask it, but he did so in respect to the feelings of the House. Any gentleman who had attended the Committee from day to day as he had done, would not be able to read and consider the printed evidence before Monday. This was one of the most important questions that had ever come before the House; and if there was any fear of not having a full attendance, the call of the House ought to be continued. Government had no right to have proceeded by Resolutions: they had by so doing created delay, and it was now their wish to hurry on the business. He was of opinion a more distant day should be appointed.

Lord *Castlereagh* said, it was most extraordinary such an objection should come from those who had taken most pains, and had the best means to understand the subject,—which touched so nearly the interests of the whole empire, that he wished to have it decided in a full House; and it was of the utmost consequence that it should be so. In the case of the Orders in Council, the evidence was printed in the same manner, and then the right hon. gentleman who spoke last was averse from any delay, and thought the evidence might be gone into without any difficulty. He, for his own part, had no wish to hurry it; but if they did not begin early in the week, they would scarcely be able to go into it till after the holidays, and that would throw it into that part of the session which was so much to be deprecated.

Sir *J. Newport* thought the House ought to make up its mind, either to go into the subject immediately, or postpone it till next session.

Mr. *Robinson* thought the time too short, and wished for a more distant day.

Mr. *Lascelles* said he thought this business ought to be entered upon at an early day, and if begun it ought to be gone through with; and no impediments thrown in its way which could be avoided.

Mr. *Hurst* said he was averse from any delay, and thought Monday was a very proper day.

It was then ordered, that the House do on Monday next resolve into the said committee.

Irish Fire Arms Bill.] Mr. Peel, pursuant to notice, moved for leave to give in a Bill, to continue the Acts of the 47th and 50th of his present Majesty, to prevent improper persons from having Fire-arms in their custody. The Bill he meant to introduce would even go further towards protecting the liberty of the subject, than the Acts it was intended to revive; as it was meant to enact that no search for fire-arms should take place but in presence of two magistrates. Under those circumstances, he did not expect any opposition but from the right hon. baronet opposite, and he would reserve his further observations for the future stages of the Bill.

Sir *J. Newport* thought something more should be adduced before the House would pass a law, which would completely distinguish the people of Ireland from those of England. The right hon. gentleman had said, that no injury had been sustained from the Act of 1810. Surely this was not a sufficient reason to continue the law. The same argument had been urged in support of the suspension of the Habeas Corpus Act; but it had at length been found necessary to restore the Act to its operation. The right hon. baronet complained that sufficient cause had not been shewn, to induce the House to renew the Act. The time of bringing forward the motion was particularly inauspicious—coupled with the decision of last night, he was afraid it would be productive of evil consequences.

Mr. *Dennis Browne* said, that if he knew of concealed arms, he would seize them without any application to the lord lieutenant. He thought the principle of the Act good—the line of demarkation between the people of England and Ireland, exceedingly plain. The Catholic question had nothing to do with the motion.

Sir *F. Flood* said, this was only a measure of precaution, and a wholesome enactment for the preservation of the peace of the country.

Sir *H. Parnell* maintained, that it was necessary to lay down grounds for the continuation of the Act; the measure was legislated in times of real danger, but he saw little reason now to allow magistrates to have the power of searching houses for fire-arms which had not been registered. The loss of the question of last night would create considerable sensation among the people, and therefore he conceived the present measure was very impolitic.

Lord *Desart* declared that considerable quantities of unregistered arms were dispersed about the country which the magistrates were not empowered to seize. The present measure was one of kindness and mercy, for it protected the insulated cottager against the attacks of lawless ruffians who infested many counties. From the knowledge that he had of the state of the country and the people's minds, it would be a measure equally cruel and impolitic to prevent the continuation of an Act so conducive to individual and public safety.

General *Hart* thought the powers given by the Bill were too small. He and other magistrates knew, that in certain districts, plans were laid by mischievous persons to procure arms by force, to be used for the worst of purposes, and the powers of the magistrates ought to be enlarged.

Mr. *Shaw* said, that the sense of the people of Ireland was with the Act; he thought the provisions of the Bill were too lenient. It would be extremely wrong to cramp the hands of government.

Mr. *Rochford* said, there was a necessity for having the Bill renewed.

Mr. *Lyttleton* said, that considerable agitation had been represented to prevail amongst the people, therefore it became incumbent upon them to renew the measure; for should the peace of Ireland be disturbed, the government were responsible for not making provisions against it.

Sir *J. Newport* said, the purpose for which he had risen had been answered, as various members had stated disturbances to prevail in Ireland, which rendered the measure necessary. A reason being given to justify the House in adopting this Bill, he should withdraw all opposition to it.

Mr. *P. Moore* opposed the motion, and contended no ground was laid for resorting to the measure proposed.

Mr. *Odell* spoke in favour of the motion.

Mr. *Peel*, in reply, defended the motion, and denied that it had any connection with the decision of yesterday. The object of the Bill was to preserve the peace by means of the civil power, to avoid resorting to the military. To prove it necessary, he read several communications which had been received within the last month. The first was a letter from a magistrate in Limerick, in which it was stated that a formidable party of fifty armed men had entered that town, at two o'clock on the preceding Sunday, and immediately proceeded to attack the bridewell of the town, for the purpose of rescuing a person there confined, charged with having murdered two men, and with having fired a house. They effected their object, took the men from prison, and fired several shots at it. The next was a letter from Waterford, which set forth, that on the night of the 5th of April a banditti of nine or ten persons had severely beaten a farmer in a most cruel manner, for no other reason than that he was a native of another county, but had many years resided in that. The next was a representation made to the Lord Lieutenant, in the case of a man named Garth, who had been attacked by an armed banditti. They surrounded his house, and attempted to break in, in order to rob him of his arms. He, however, was not intimidated, but resolutely defended himself, and by killing two of the villains, so frightened the others, that they made off. He had in the first instance begged of them to go away, telling them that he was determined to defend himself, and that such a catastrophe might be the consequence of their persevering in their design. They, however, did not attend to him, and the result was, that three of the party lost their lives, one being found dead in a neighbouring field next morning. He then read a narrative, from which it appeared, that this man, ever since the attack made on him, had been obliged to remain constantly on his defence. On Palm Sunday last he went to church, and after service, a person came behind him shortly after he had left the church, and lodged three balls in his back. Though hundreds of persons were by at the time, it being Palm Sunday, the villain escaped. A surgeon was sent for, who extracted one of the balls, the others remained in his back. The man was stated to be doing well, but not yet out of danger. This it was to be observed was merely for defending himself; for resisting the outrageous attacks of banditti.

Mr. *Wynn* was glad this information had been given to the House, and felt obliged to the right hon. baronet for having caused this statement to be made.

Leave was given to bring in the Bill.

HOUSE OF COMMONS.

Wednesday, May 26.

Petition of the Cotton Spinners, &c. of Stockport.] A Petition of several merchants, spinners, and manufacturers of cotton, in the town of Stockport and its vicinity, was presented and read; setting forth,

"That the Petitioners give employment to many thousands of hands in spinning, weaving, and other processes of the cotton manufacture; and that the price of cotton wool has advanced, in the last six months, full 50 per cent. which has pressed heavily upon the trade of the petitioners, and has hitherto prevented them, in a great measure, from benefiting by the late happy change in the state of the continent of Europe; a necessary consequence of this is, that they are thereby deprived of the means of increasing, in any material degree, the wages of their workmen, some classes of whom, particularly the weavers, are still most inadequately paid for their labour; and that, for some years past, the wages of that very numerous, useful, and ingenious class, have averaged less by far than those of the lowest species of day-labour, which has reduced them to such straits, that it is not to be wondered at if some of them should at last have listened to the evil-disposed and designing, and, impelled by want, joined in those disorders, the memory of which is still too recent to require being here enlarged upon; and that, thus situated, and with the recollection of these scenes fresh on their minds, the petitioners have heard, with equal astonishment and alarm, that petitions have been presented to the House, praying that the importation of cotton wool from the United States of North America may be prohibited, or that such regulations or restrictions may be adopted in regard to it, as may nearly amount to a prohibition; and that, should it be found necssary or expedient, in the vigorous prosecution of the war against those states, so to blockade their ports as to prevent all intercourse between America and the rest of the world, the petitioners, although they would suffer more by this measure than perhaps any other class of their fellow subjects, would bear the consequent privations without complaint; but a partial measure which, to enrich a few individuals, shall exclude the produce of America from this country alone, and thereby throw the most valuable portion of the raw material into the hands of its continental rivals in the manufacture, they do most earnestly deprecate for themselves, and for the thousands who depend upon them for employment and for bread; and that the existing duties upon the importation of cotton wool into this country, no part of which is drawn back upon the exportation of the manufactured article, operate as a direct and powerful encouragement to the foreign spinner and manufacturer, and both at home and abroad give an undue advantage to linen and other fabrics that come in competition with those of cotton; it appears, therefore, to the petitioners, that instead of increasing the burthens affecting a raw material, of so much importance to the national industry, it were a more wise, liberal, and enlightened policy to lessen, or repeal altogether, the existing duties on cotton wool, the produce of our own colonies or those of our allies, convinced as they are that any defalcation of revenue that would thence arise, in the first instance, would ultimately be amply compensated by the increase it would directly or indirectly occasion in various other branches; and praying, that the House will not sanction any measures intended to lessen the supply, or enhance the price of the indispensable article of cotton wool, but rather adopt such as may have a directly contrary tendency, thereby securing the pre-eminence it now holds in that most important branch of trade to the nation at large, and prosperity and tranquillity to those populous districts, the seat of the manufacture."

Ordered to lie upon the table.

HOUSE OF COMMONS.

Thursday, May 27.

American Licences.] Mr. *Whitbread* wished to ask the right hon. the Chancellor of the Exchequer a question, on the subject of licences granted to American vessels bound to the port of Lisbon, which were to protect them from being molested, notwithstanding any hostilities that might take place between the two countries. On the faith of this protection many speculations had been entered into, yet he was informed that American vessels sailing under these licences had been taken or detained by our blockading squadron. He wished to know if the right hon. gentleman could tell him on what principle licences issued at a time when war was contemplated between the two countries, and which according to the wording of them, embraced all hostilities, were set aside, when one particular species of hostility, that of blockading the American ports, was resorted to? To him this appeared a breach of the national faith, and he therefore wished to be informed on what principle such a measure had been adopted.

The *Chancellor of the Exchequer* wished the hon. gentleman to write to the Board of Trade on the subject, as he would then obtain a more satisfactory answer than it was in his power to give. The licences alluded to had, he believed, been granted before a blockade of the American ports was contemplated, but he did not know under what particular circumstances.

Mr. *Whitbread* repeated, the licences had been so worded that he should have thought they would have embraced every circumstance of war. They had never been revoked, and therefore he conceived any seizure or detention under them to be unjust. But seeing the Secretary to the Board of Trade in his place, he begged to ask him the question which he had just put to the Chancellor of the Exchequer? He accordingly repeated it.

Mr. *Robinson* had not heard of any such circumstance as the seizure of an American vessel sailing under licences, of the description alluded to by the hon. gentleman. Some licences had been granted previous to the issuing of letters of marque, and anterior to the declaration of war, and vessels about to sail under these, sir J. B. Warren had not allowed to proceed. Several American vessels had been stopped, but not captured.

Mr. *Whitbread* said, as the war between the two countries had been contemplated at the time these licences were issued, he thought they might fairly have been interpreted to exempt those to whom they were granted from all interruption and molestation arising out of the hostilities between the two countries. They ought not to be interfered with by a blockading squadron. Such interference might cause the parties much injury, severe losses, and even ruin, though their vessels were not captured.

Mr. *Robinson* thought the licences in question were dated the 14th or 15th of September. These set forth, that those who held them were not to be molested in the event of hostilities breaking out between the two countries, but it was not meant that this protection should give permission to break through a blockade. The licences were intended to protect American ships on their voyage, but if a port were blockaded it gave them no right to break the blockade.

Mr. *Baring* said, the licences had been granted to enable American ships to carry provisions to our armies in the peninsula, and therefore they were protected against hostilities. He would put it to any man understanding the English language, if it might not fairly be assumed, from the wording of these licences, that their owners might sail from any American port to any port not blockaded, though they might not be permitted to return to the port from which they had sailed, if that port were put in a state of blockade.

Mr. *Robinson* still contended that these licences, granted before the commencement of the war, could not be understood to give permission to those who held them to break any blockade which had subsequently been resolved upon.

Mr. *Preston* was proceeding to offer some remarks on the subject, when the Speaker reminded the House that no question was before them, and the Chancellor of the Exchequer then rose, to put an end to the conversation by bringing forward the motion of which he had given notice respecting the Civil List.

MOTION FOR A COMMITTEE ON THE CIVIL LIST.] On the motion of the Chancellor of the Exchequer, the Act of the 52 Geo. 3, c. 6, for making provision for the better support of his Majesty's Household, during the continuance of his Majesty's indisposition, was entered as read.

The *Chancellor of the Exchequer* then rose and called the attention of the House to the state of the Civil List expenditure. The last settlement by parliament was in the year 1804; but since that period an excess had annually been found to arise above the estimate. At present there appeared an increase of expenditure of 203,000*l.* above the estimate of 1804. In the seven years following that year, the average excess over that estimate was 124,000*l.* From this it would be seen, that though there appeared an increase of 203,000*l.* on the estimate of 1804, the excess of the year ending April the 5th, 1813, was only the difference between 124,000*l.* and 203,000*l.* Since the accession of his present Majesty, it had been found necessary to make various additions to the amount of the Civil List revenue, and the sum total of these was 265,000*l.* By Mr. Burke's Bill the expenditure had been divided into certain classes; and he now proposed to state successively the amount of excess which had taken place on each particular head, as compared with the expenditure of 1804, and the average of the subsequent years. One cause of the present existing excess, for which parliament would be called on to provide, was the additional allowances that had been made to some of the members of the royal family. The additions made in the last year, in the first class, for the establishments of the Princesses, the increase of the Queen's income, and for the privy purse of the Prince Regent, threw on it a charge of 120,000*l.* Towards meeting this, a revenue of 70,000*l.* was given to it, which left 50,000*l.* unprovided for. The second class, which included the salaries of the Judges, remained as heretofore. The third class, that in which was included the allowances of Foreign Ministers, had considerably increased from the change in our political relations. In 1811, that charge did not much exceed 18,000*l.*; it amounted last year to 88,500*l.* In the class including tradesmans' bills, the House could not be surprised that an increase of expenditure had likewise been found unavoidable, under the circumstances of the times. These had been set down in the estimate of 1804, at 172,000*l.* The actual expenditure of the next year was 296,000*l.* The expenditure of the last year was 277,000*l.* being 19,000*l.* less than the actual expenditure of the year immediately following that in which the estimate was made. In the departments of the Master of the Horse and Master of the Robes there was an augmentation of expence amounting to 47,000*l.*; that in the department of the Lord Chamberlain, was principally to be ascribed to the transfer of some of the domestic servants' salaries to this class. In the department of Master of the Horse, the excess must immediately be understood, when it was considered that the same stable establishment had been kept up as was maintained before his Majesty's indisposition. In the office of the Lord Steward there was a saving of 30,000*l.* The expenditure on the head of pensions was 85,900*l.* being about 1,000*l.* below the average. There was an excess in the expence of providing compensations to superannuated servants, it not having been deemed proper to dismiss those who had grown old in the service of his Majesty, and on the other hand, it was not just to remove the officers and servants who had previously been about the person of the Prince. The amount on this head was 11,100*l.* The estimate provided a sum of 27,000*l.* for the payment of foreign agents, but the average expenditure was about 60,000*l.* The items against the names of sir Charles Stewart and sir H. Wellesley at Lisbon and Cadiz might appear particularly large. This arose from the very great disbursements they were under the necessity of making, from the peculiar nature of the situations in which they were placed. Sir C. Stewart, as a member of the regency of Portugal, was obliged to maintain a splendid establishment, and sir H. Wellesley, as ambassador to the Spanish government, had constantly to entertain parties of military officers. He mentioned these things, and noticed the great losses by exchange, to which both were subjected, in order to exculpate those gentlemen from any charge of extravagance that might have been preferred against them. The Treasury expences had swelled much above those of former years. The most material increase was caused by an addition of 120*l.* to the salaries of old Treasury clerks, who had very severe duty to perform, and who had been very inadequately rewarded for the long and meritorious services which they had rendered. The increase of charge to be accounted for, as compared with the list of 1804, was 209,000*l.* and from that was to be deducted a saving of 6,000*l.* so that the sum would be 203,000*l.* In the Committee he would be ready to give more minute explanation of that increase than he had already given. But, on looking over the accounts, the House would perceive how small a proportion of this increase had been occasioned by the Prince Regent, while, on the contrary, how great a proportion of it had been occasioned by services purely political. It had chiefly been occasioned by expences atttendant on foreign ministers, and by the pensions granted to those who were well entitled to them for past services, though now no longer able to fulfil their duties properly, from age and other causes. These were reasons for increase, of which the House would not be inclined to complain. The increase they had occasioned was 150,000*l.* odd, out of the 203,000*l.* He could not but here observe, how much it would redound to the honour of the country, and of the crown, if the Civil List were put on such a footing as to prevent all arrears;—(Hear !)—but he saw no hope of preventing either its being in arrear, or its increase, while the list was exposed to so many occasional payments. The charges, for instance, connected with our foreign ministers, might be provided for by a separate act of parliament, instead of being suffered to swell the Civil List; and, in so doing, the House would bring within its most immediate notice the items of the Civil List as well as those for foreign ministers. He thought the present a good opportunity for making inquiries with the view of accomplishing such object. Before he sat down he ought to observe, that many expences had been incurred, when the Prince Regent had assumed the sovereign authority, which, though they had swelled the List, would not periodically return upon them; therefore, they might be termed irregular charges. When he talked of irregularity, he meant that they would not annually appear. Of these the principal charge was for furniture to fit up a council chamber, for the reception of ministers, &c. &c. at Carlton House. In departments of the household, economical measures had been had recourse to with great success. In the Lord Steward's department, as he had already stated, there had been a saving of 30,000*l.* by a careful application of the plan laid down. A further saving of 6,000*l.* was expected by commutations and superannuations. Savings had also taken place in the Lord Chamberlain's department, and also in that of the Master of the Horse; but not to such an amount as appeared in the Lord Steward's. Much, however, he hoped would be effected.—He hoped the House would be satisfied that no establishments had been formed which were not demanded for the public service. On the whole of his statement, he trusted it would be seen that great part of the increase of expenditure was occasioned by charges for political services, which must be paid by the public under any form of government, republican or other. The right hon. gentleman concluded by moving, "That a Select Committee be appointed to consider of the charge upon the Civil List Revenue; and that they do report their observations thereupon, and also as to such further regulations as it may be proper to adopt with respect to the expenditure thereof, to the House."

Mr. *Whitbread* thought that much important consideration was involved in the accounts of charges on the Civil List, and, as he had often before said, the matter ought to be taken into the most serious examination of parliament; but he could not withhold his surprise at the motion after the many abortive attempts that had been made to obtain a committee on this very subject. A committee had been appointed last session; it made a report shortly before the close of that session; but that report had been nugatory. It gave much good advice, it contained many good suggestions, it made many woeful lamentations respecting the past; and it buoyed itself with hopes for the future—but all had been useless, no good effect had grown out of that report. Though the Chancellor of the Exchequer now talked of seeing whether that could be accomplished, which had, in fact, been powerfully suggested in the report of last session, how little hope could the House entertain of any beneficial result when it was remembered how nugatory had been the former report! It had been said that the present motion was made in compliance with an Act of last session, respecting any excess in the Civil List; but that Act, like every thing connected with the Civil List, was so ambiguously worded, that it was hardly possible to say, after all they had heard this night, whether the right hon. gentleman had or had not complied with the enactments of it. If he understood that Act rightly, the application had not been made to parliament so soon as it ought to have been made. There had been the greatest laxity in the Civil List accounts; but the right hon. gentleman had exculpated himself from having had any connexion with the fallacious statements of 1804. It was now very properly wished that arrears might be prevented, and that excess might be regularly provided for. Mr. Perceval, in the course of last session, had turned his mind to the excess that constantly took place, and he brought it before parliament. From an average of the expenditure, he found that the excess was annually 124,000*l.* and it was recognized by parliament at that amount, or rather by the administration of that day. It was provided for permanently, as it was said. Amongst other things that had been called in to their assistance were the Admiralty Droits, a fund that might be called the pack-horse that must be had recourse to on all burdensome occasions. But as that fund must fail if there were to be a peace, it could not be said to be permanently provided for. The Act also provided that when the excess of the List amounted to 10,000*l.* application must be made to parliament; but the excess was twelve times that amount, and application was now made for the first time since the passing of that Act. When the excess was stripped of, or rather clothed with all the circumstances that of right belonged to it, it might be calculated at about 120,000*l.* The Chancellor of the Exchequer had dwelt with great nicety on the items of the List, particularly on the expences of furniture, &c. which had occasioned the excess; but he appeared to have forgotten a little act of parliament, which gave to the Prince Regent 100,000*l.* expressly for the purpose of defraying the expences of the outfit. The Civil List enjoyed by the Regent was larger than any that had ever been before granted in this country. But arrangements had been made, by setting sums apart for the payment or liquidation of certain contracts of honour which had been entered into by his Royal Highness; but what the amount of them was, or when the period of their liquidation would arrive, no one could tell. Calling to mind, however, what immense sums were provided for the express purpose of disposing of these contracts, and for which no account whatever was to be returned to parliament, he should oppose the appointment of a select committee until the House was made acquainted with the amount of the Prince's debts, or, if it were a more delicate way of coming at the information which he required, when the period of their complete liquidation might be expected to arrive? He thought the House, before it appointed a select committee, ought to resolve itself into a committee for the purpose of coming to certain resolutions respecting the disposition of the immense sums paid to the Prince Regent, for the purpose of liquidating the House knew not what, nor to what amount. In 1795, an Act had been passed to provide annually 60,000*l.* for the purpose of defraying those debts, and it was said that in twelve years the whole of them would be discharged. In 1804 it was stated, however, that the annuity of 60,000*l.* would be required for three years longer than had been originally specified: and that then the contracts would certainly be fulfilled. The year 1806 arrived, and then they were told that the Prince could not resume his proper splendour without the annuity, or without some additional grant from parliament. By the Act of 1795, the commissioners were to publish in the Gazette, from time to time, the progress they made in liquidating those contracts of honour; but that practice was continued only for a very short time, and till 1806 they never heard any thing about the progress that was making. They had nothing before them from which they could judge whether the commissioners had discharged their duty faithfully, much less whether all the debts were nearly paid. Ought the House to remain in this state of darkness? The leaving of such immense sums to be disposed of without being regularly accounted for, ought to awaken their jealousy; for though they had no danger to apprehend now, yet with an ambitious sovereign, what use might not be made of such means to undermine their liberties by ruling the majorities in that House! The accounts of charges on the Civil List before the House were intricate in the extreme, indeed the items seemed to be removed from the debit to the credit side without any cause, except for the purpose of making the whole completely incomprehensible. So far as the complication of figures in these accounts made it possible to judge, the Prince Regent had for his privy purse 60,000*l.*; as Prince of Wales, he had 125,000*l.* Of this sum 5,000*l.* a year was said to go to the Princess of Wales; 50,000*l.* was set apart for the purposes of the trust, and the other 70,000*l.* remained for himself, making, with the 60,000*l.* a total sum of 130,000*l.* a year. To this was to be added the duchy of Cornwall, which had been taken by the public in the year 1795, when it produced a revenue of 13,000*l.* a year, but was released and put at the disposal of his Royal Highness in the year 1804. How much the revenue of the duchy had increased, he (Mr. Whitbread) could not pretend to say. He knew it was very much increased by the falling in of leases, and otherwise, and that it was under admirable management. He had heard its present revenue stated as high as 30,000*l.* a year, but he would not be thought to exaggerate in taking it at 20,000*l.* which in that view of the case, would leave at the complete disposal of his Royal Highness 150,000*l.* a year. They had been told by his hon. and learned friend (Mr. Adam,) that his Royal Highness dedicated a large sum to the extinction of those obligations of honour. If there were none such, however, the country would be relieved from the 53,000*l.* a year which had been allotted to that purpose; and they were at least entitled to see the accounts on this subject, or to be informed when such engagements are likely to cease. It had never been conceived even on the most extravagant calculation, that it could be necessary to give to a sovereign of this country such a sum at his uncontrouled disposal. A more beloved sovereign than our present King never sat upon the throne, yet his privy purse had for many years been 40,000*l.* and never exceeded 60,000*l.* The present arrangement opened an opportunity for abuse that ought not to be countenanced by parliament. On the House being satisfied respecting the amount of debt, or the probable period of its extinction, he might approve of the select committee; but he should not approve of it, except it were to have the power of calling persons before it, and of examining them touching all matters connected with the accounts. The Chancellor of the Exchequer had said that the Civil List had not kept within its former bounds; but the language of the most eminent and illustrious men that had ever sat in that House, was very different from what he now heard. Mr. Burke, Mr. Pitt, and Mr. Fox, always agreed and maintained, that the Civil List should be made to fit its revenue; not that the revenue was to be made to fit the Civil List. It seemed, therefore, that there should be some diminution in those articles which were most expensive. As for the Prince's first expenditure on assuming the regency, there had been the 100,000*l.* specifically voted for it; and therefore they ought not to have heard any thing about furniture or plate. He thought of the expenditure of that sum, a specific statement ought to be laid on the table. Great additional sums had been voted last year for the rest of the royal family. The sums granted altogether to the royal family amounted to 334,000*l.* There were also large sums charged on the Consolidated Fund for the Queen and Princesses, and for the royal Dukes. The whole, he believed, was more than half a million. Looking over the list, it would be seen how little, comparatively, was given to the Princess Charlotte of Wales; she had only 6,000*l.* a year from the Civil List; but she had 7,000*l.* a year from the Consolidated Fund. He wanted to know whether that was the whole of her establishment. If not, the money came from other sources: but there must soon be an increase of her Royal Highness's establishment. He did not wish to deprive any of the branches of the royal family of their proper splendour, but he wished that something like justice might be done, and that there should be something like an equality in the distribution.—(Hear, hear!)—They saw the excesses in the department of the Lord Chamberlain, for plate, furniture, &c.—of the Master of the Horse, for the purchase of horses, an account of which purchases he should like to see; but amongst all these excesses, they saw nothing for additional allowances to one who must be equally affected by the rise in the price of every article of life—who had only 17,000*l.* Was this equality of distribution?—(Hear, hear!)—As the Prince had his own plate as well as the King's, he could perceive no reason for any new charge on that account, especially after 100,000*l.* had been granted for the outfit. The fitting up of the council chamber was mentioned; but what great sum could that amount to? None of these expences came out of the 100,000*l.* for they were all charged now under their respective departments. But there were some curious items in the accounts. Amongst other notable ones he perceived "to Messrs. Rundell and Bridge for snuff boxes, 7,170*l.* 3*s.*"—(A laugh.)—To whom these snuff boxes had been given they had not been told, indeed they had not been informed whether they had really been disposed of. He had been told of a not very dissimilar item, in some former account of Civil List charge, namely, 754*l.* for a likeness of his Majesty, as a present to some general Paoli; but the general declared afterwards, that he never got any such picture (A laugh). Whether the snuff boxes had been equally unsuccessful in finding their destinations he could not divine—they might hereafter have some light thrown on this trifling item. As to the increase occasioned by the expences for foreign ministers, he saw little to congratulate the House upon; for between Sweden and Denmark, and Norway and Great Britain, there appeared to be nothing but perplexity, whatever might have been the success with Russia. The Chancellor of the Exchequer, however, had smirked very considerably when he came to this part of the account, conceiving that there was much cause for triumph in having laid out so much money. Diplomatic men were entitled certainly to reward, after employing their time and talents in the public service. According to their condition in life, they were justified in taking or declining the remuneration; but that they did not always take it he knew, because he was acquainted with one case to the contrary. The excess in this branch appeared enormous. The head of treasury incidents was one in which expence, by remunerating the clerks, might be very proper; but he observed an increase of 5,000*l.* for messengers' fees. He thought it material for the House to consider all these things in a committee, as was done in 1782; but his great jealousy was, concerning that great fund (of which they could obtain no account as to its disposition) which was a privy purse to the Prince Regent. He must repeat, there was first 60,000*l.*; then there would be 70,000*l.*; then, by relief from the income tax, 12,000*l.*; and lastly, by the duchy of Cornwall, 20,000*l.*; making 162,000*l.* per annum, independent of contingencies, of droits, and 4½ per cents. and the hereditary revenue of Scotland. Mr. Adam said, 53,000*l.* were to be under trust for a time, and 17,000*l.* a year given to the Princess of Wales. Considering the large allowances to the royal family, he thought that a larger allowance ought to be granted to the Princess of Wales, for the reasons on which excess was justified in other instances, namely, the great augmentation in the cost of articles required in various departments. Now let them look at the justice and the equality of distribution; now let them look at the attention evinced to keep up the dignity and splendour of all the branches of the royal family! Though they saw excess in every other item, they saw no addition made to the income of the Princess of Wales. She still had but her improperly low allowance of 17,000*l.* a year! (Hear.) The Queen, for maintaining her separate state, even while the King was in health, had first 50,000*l.* a year; to which 8,000*l.* were added, and recently 10,000*l.*; thus making 68,000*l.* The Princesses had 13,000*l.* a year each. Parliament had a view in the settlement on the Princess of Wales, of what, under circumstances, ought to be her allowance. The Queen's jointure was 100,000*l.* a year, with the palace of Somerset-house, afterwards exchanged for Buckingham, now the Queen's house, and a house at Richmond, and apartments at Kew or Windsor. The Princess of Wales, in the event of the Prince Regent's death, which God avert! was entitled to 50,000*l.* a year, by the direction of parliament, which had enabled his Majesty to make that settlement on the occurrence of such event, on her Royal Highness; yet while he lived, her Royal Highness, separated from him, had no more than 17,000*l.* He would repeat his enquiry, was this justice—was this fair, and equal of distribution?—How different was her present state, in these dear times, from that of any other member of the royal family, when people calculated the expences of the Prince Regent's establishment minutely, from plate and wine, down to eggs, (a laugh.) Was it meet and fitting that the Princess should continue as she is? Would ministers do their duty, if they did not advise their royal master to make some addition to her scanty provision; for such it really was when compared with others, and when her rank and station in life were considered justly? He felt that it was difficult to bring the question forward in a precise way. The member for Liverpool (Mr. Canning) thought, last year, that there was an omission in not providing something on this subject. He hoped justice would be done to her, and to the feelings of the country. He could not vote for the motion satisfactorily till information was granted. He found an account recently up to the 5th of April, which stated, that 263,000*l.* had been taken from the Droits to the use of the Civil List. He could not avoid noticing, that in the year 1811, such restraints had been put upon the Prince Regent, in the exercise of the royal authority, as had appeared to him to be improper, and such as every member of the royal family also considered improper. It appeared, however, that from the time the restrictions had expired, there had been a laxity, at least equal to the rigour which had been displayed at that time. He concluded by moving, as an amendment, "that the several accounts of the Civil List should be referred to a committee of the whole House."

Lord *Yarmouth* said, that some questions had been asked by the hon. gentleman, which, if not answered, might be construed unfavourably. As to the appropriation of those sums included in what was generally called Mr. Adam's Trust Fund, he could assure the hon. gentleman, that it could be most satisfactorily accounted for. He had not the account now in his pocket, but if the hon. gentleman had asked him yesterday about it, he should now have been prepared to produce the account. He could, however, assure the hon. gentleman, that the appropriation of this fund could be most satisfactorily accounted for.

Mr. *Whitbread,* in explanation, said that he really was not aware that there had been any necessity for him to make any previous statement to the noble lord upon the subject. Before the Prince of Wales was Regent, the House was content to receive information from those persons who were in his employment and confidence; but now that he was Prince Regent, and had ministers in the House, it was to those ministers that it should apply for necessary information, and not to any individual member of the House. He was not aware of any public situation which the noble lord held, that would make it competent for him to give information to the House. He did not know that the noble lord was a trustee of that fund which he said had been alluded to. He had accidentally met Mr. Adam this day, and had stated to him the questions that he intended to ask, that gentleman said to him, on his mentioning his intention of asking information upon the subject of "Adam's Trust,"—"You are entirely at liberty to do so, and I think you will find that the sums have been faithfully applied." He had not the least doubt of the fair application of those funds to the purposes to which the Prince Regent chose to direct them. His object had been to obtain information in a regular constitutional way, and not through any indirect channel. When he thought that information ought to be laid before the House of Commons, he would move for that information by an address to the Prince Regent, and not by asking questions of any individual member.

Lord *Yarmouth* said, in explanation, that he always thought the fund to be a private trust vested in the Chancellor of the duchy of Cornwall, and one or two other persons; and in making the observations which had fallen from him, he was solely influenced by an anxiety that a false impression might not go abroad.

Mr. *Whitbread* said, that there was no trustee created by the act of parliament, though the sum was voted in confidence. The question which he was desirous of having answered was, merely when his Royal Highness would have discharged the engagements for which the 53,000*l.* had been granted.

Lord *Castlereagh* said, that he was not at all surprized at the anxiety of his noble friend (lord Yarmouth) to offer some explanation about the application of that sum, with the management of which he was connected. It was not to be expected of the servants of the crown, that they should know any thing of that particular branch of the Prince's revenue. It was known, generally, at the time the Prince consented to take upon himself the weight of the royal authority, that although he had given up 50,000*l.* a year of his revenue as Prince of Wales, 53,000*l.* annually had been withheld to defray encumbrances which he conceived binding on his personal honour to discharge. The revenues of the duchy of Cornwall were peculiarly in the charge of his noble friend, and therefore an injurious impression might have been made upon the public, if his noble friend had remained silent upon the statement. As to the motion of the hon. gentleman, he considered it extraordinary that he should wish to have a committee of the whole House upon the details of these accounts. It would be time for the House to consider the question, when the detailed information was laid before them in a satisfactory and intelligible manner; as he was convinced it would be after the accounts had been laid before a select committee. It would be a great waste of time for the House to go into an examination of those details, which could be better examined by a select committee. The hon. gentleman seemed to consider the Reports usually given of the state of the Civil List as unsatisfactory. It appeared to him, however, that they ought to be satisfactory, as all the accounts were arranged under precise heads, upon which ministers were always ready to give explanations. The hon. gentleman also wished to give this committee the usual powers of sending for persons, papers, and records. Now it appeared to him, that such a power would lead to an investigation as could not in delicacy be admitted on the private affairs of the meanest individual. But were members of that House so intimately acquainted with the details of the offices of Lord Chamberlain, or Lord Steward, as to be the proper judges, whether any greater savings might or might not be made in those departments? An investigation of this nature could not properly be made of the private expences of any gentleman in this country; and he did not think that the House would sanction it with respect to the Prince Regent. The hon. gentleman had truly stated, that the House made a liberal provision in the last year for the Prince Regent, on assuming the royal authority without restrictions; and in particular they had voted a sum of 100,000*l.* which the hon. gentleman called a vote for his out-fit, and for which he demanded an account. He could, however, see no reason for a detailed account of the expenditure of this sum; but he should state generally that his Royal Highness had filled the regency for nearly a year, before any such provision had been made. It was to be recollected, that the sum was the first which had been given by parliament, since the time that his Royal Highness had been pleased to exercise the duties of Regent, and he had no doubt that the greater part of it had been expended in defraying the extraordinary expences occasioned to his Royal Highness during the preceding year, by the discharge of his duties as Regent. He thought that it was rather a matter of astonishment, that the whole increase in the great departments of the household, (the Lord Chamberlain's, and the Master of the Horse,) should not have exceeded 17,000*l.* in the present year. In the department of the Lord Steward (which appeared more particularly to be connected with the personal expenditure of the Prince,) there had been a considerable saving. In the department of the Master of the Horse, besides the additional horses that were purchased, every gentleman must know, that the price of keeping horses had greatly increased during the last year. The price of oats had more than doubled; it had nearly trebled. He thought the first impression on the face of those accounts should rather be surprise at so small an increase, than suspicion or disapprobation. One of the most prominent branches in which the expenditure had been increased was that department in which he had the honour to be concerned, and it would afford him pleasure to give every information on the subject which was in his power to the gentlemen of the committee. In that branch the expence was very fluctuating, and on that account he thought it proper that the particulars of it should annually be under the consideration of parliament, in order to prevent the danger of mismanagement. This branch comprehended the greater part of the expences incurred by foreign missions. From a comparative statement of the amount of expenditure in that branch at present, with what it had been at former periods, it would be found that although the expences of the last year exceeded that of some of those which more immediately preceded it, yet it was much less than on some former occasions. In 1804, the committee had estimated the extraordinary expences respecting foreign missions at 10,000*l.* This sum was, however, less than the extraordinary expences of lord Whitworth's embassy at Paris, in 1801. In 1804, when the estimate was made, there was not many foreign embassies, and the particular cause of the increase was from the two embassies to Spain and Portugal. In fact, there was no branch of public service so inadequately paid as foreign embassies. There was only the same salary which had been fixed many years ago, which was diminished very considerably by the altered circumstances of the times. The greatest expence in the present List was occasioned by the two missions to the peninsula; and in this case the expence had been increased by a loss of about 25 or 30 per cent. upon the whole, which had been incurred by the rate of exchange being so unfavourable to this country. As to what the hon. member had said about snuff-boxes, he had only to observe, that it had always been the custom on the signing of a treaty to give away snuff-boxes, of a certain value; and although the hon. member had objected much to the magnitude of the sum of 7,500*l.* he believed upon inquiry that he would find that it was not more than was customary upon similar occasions. He thought what the hon. member had said about the royal family, had been brought forward rather with the same temper which had led to those unfortunate discussions which had occurred at an earlier period in the session, and against which he would ever continue to protest. He had lamented the discussions which had taken place in that House, and those which had taken place out of doors: he particularly regretted that this subject was now brought forward, as he was convinced that if an attack was to be made upon his Royal Highness on this point, it would entirely defeat the objects of those who made it, and their wishes to serve her Royal Highness. He never could admit that she possessed any character at all to be compared with that of the Queen, or that she derived any public character from the situation which was cast upon his royal highness the Prince Regent. Whatever information the right hon. gentleman might have received, it was not a fair statement to say that the Princess had but 17,000*l.* per annum; as, in addition to that, she had 5,000*l.* annually from the Civil List. It must be also recollected, that the Prince had paid no less than 50,000*l.* for debts which her Royal Highness had incurred. As for a committee of the whole House, he thought it quite inapplicable to the examination of the details of the accounts in question. He assured the House, that if a select committee were appointed, there would be every disposition to give the fullest satisfaction upon the whole of those accounts. He thought, however, that upon the face of them, there was no reason for blame or suspicion, but rather ground of approbation. For these reasons the amendment should have his decided negative. The original question met with his hearty concurrence.

Mr. *Whitbread* observed in explanation, that his information on the income of the Princess of Wales was not derived from any private source, but from the statement of the late Mr. Perceval, made in that House.

Sir *C. Burrell* made some observations on the state of the menial domestics of the Prince. He thought it quite disgraceful that when any one called upon the Prince Regent on public business, a book should be immediately put into his hand by the servants, to subscribe for those who were not sufficiently provided for. The marshalmen, he understood, had but a salary of 20*l.* a year, and gave 800*l.* for their places. Their incomes were, in a great measure, obtained by begging about from door to door, in a manner that made it doubtful whether they were not liable to be committed on the Vagrant Act. He thought that proper salaries should be given them; and that it was quite disgraceful the servants of the crown should be obliged to resort to such means to obtain a livelihood.

The Chancellor of the Exchequer spoke shortly in reply, after which the amendment was negatived, and the original motion was carried without a division.

The *Chancellor of the Exchequer* then proceeded to name the committee. When

Mr. *Tierney*, on his name being mentioned, begged to decline the honour proposed to be conferred on him; he could not be a party to any thing which might seem like a shift, and which was a mere delusion to be practised on the public; for it could be called nothing else than a delusion where the committee was not to have the power of calling for such persons or papers as might be deemed necessary.

Mr. *C. Long* observed, that no examination could be more minute than that which had taken place last year before a committee, which was under the very same regulations which were to be made with regard to that which the House was just about to appoint. The reason for not giving to the committee the power of calling before it the different members of the household, was very obvious. Such a power would be invidious and indelicate.

Mr. *Tierney* said a few words in reply, and persisted in calling the committee, which was about to be appointed, a wanton delusion.

Mr. *Hurst* contended that it was improper in any thing that related to the expenditure of the public money, to exclude any means of information, and it was not acting fairly with regard to the royal family, to refuse investigation.

Mr. *Bankes* declared, that the mode of referring those papers to a committee was altogether nugatory, and no good could proceed from it. It would be more parliamentary for the House to vote the sums contained in the accounts without any further explanation, than to appoint a committee to inspect them which had no powers of investigation.

Lord *Castlereagh* said, in the last committee several explanations of the accounts were obtained by moving Addresses to the Prince Regent for that purpose, and on the present occasion the committee might pursue the same line of conduct and obtain the information they wanted.

Lord *Milton* enquired if it was behaving decorously towards the country to appoint a committee to examine into the Civil List expenditure which had no powers of examination whatsoever.

Mr. *Thomas Courtenay* said, that the noble lord (Milton) was mistaken in supposing the question to be merely, whether the papers should be called for by the Committee or by the House. The House in similar cases always proceeded by Address, a mode which the Committee could not adopt, but which left to the crown or its ministers the option of withholding any information that might be called for if they should think it improper to be communicated to the House. (Hear! hear! from the Opposition bench). Such advice was not likely to be given on the present occasion, but it was certainly competent to ministers to give it, upon their responsibility. The noble lord treated the King as merely a public functionary; even in that light, comparing him with the Lord Lieutenant of Ireland, or the Speaker, a detailed examination into his expences was not necessary to enable the House to judge of the necessity of increasing his allowance; it was sufficient to have a general impression of the inadequacy of the present income. But the King constituted in fact one of the orders of the state; it was as desirable to preserve his independence as that of the noble lord's father, or any other great member of the aristocracy. Whatever he possessed, he had as much right to enjoy as any of his subjects. The proceeding recommended by the noble lord was not agreeable to the principles of our constitution. (Hear! hear!) Mr. C. would repeat it.

The Committee of last year, of which he (Mr. C.) had been a member, had, even by the admission of the hon. member for Bedford, given good advice; and the reduction which had taken place in the expences of one of the principal departments of the household, shewed that advice had been followed, or that there had been a previous disposition to economy in that department. He could undertake to say, that the Report of that Committee contained more full information upon the subject of the Civil List, than had ever before been produced.

With respect to the Office of Works, alluded to by an hon. gentleman (Mr. Bankes) as a department requiring minute examination, Mr. C. reminded the House that a Report from the Commissioners of Enquiry was then upon their table; when that Report should be printed, the hon. gentleman's criticisms would be more in season. At present Mr. C. saw no reason for proceeding in regard to the Prince Regent in a different course from that heretofore adopted towards the sovereign, and he should vote against giving to the Committee the power of sending for persons, papers, and records.

Mr. *Barham* was of opinion that the arming of a committee with proper powers of investigation could never be construed into disrespect for the crown; it would be indecorous in the House to nominate a committee through which the accounts would pass in a kind of mock examination.

Mr. *Ponsonby* was anxious that some more efficacious measure of examination should be adopted, because the expenses were not reduced within legitimate bounds, nor the cause of the excess explained. It was perfectly decorous, he apprehended, to inform the committee what was the amount of those engagements which an annual sum of 53,000*l.* was required to discharge, so that they might calculate the period when the country would be freed from any further payments. It was the doctrine of the constitution to allow the crown no money but what come by the grant of parliament. This principle had been adopted for the preservation of public liberty, for if the crown could have received money by any other means, little of the constitution would have been remaining.

Mr. *P. Moore* entreated that proper powers might be delegated to the committee.

The *Chancellor of the Exchequer* then consented to strike out the name of the right hon. gentleman (Mr. Tierney) from the list of the committee, which was done accordingly: Mr. Ponsonby was next proposed, but he declined the honour, and his name was withdrawn. It was then moved that Mr. Whitbread should be one of the committee.

Mr. *Whitbread* declared, that the appointment of such a committee was perfectly nugatory, he could not conceive any reason for withholding powers of examination from the committee. The House recollected the examination of one of the members of the royal family before the committee appointed to examine into sinecure offices. It would not be derogatory to the Steward of the Household to mention some of the articles which occasioned extra expences, seeing that when the motion was made for encreasing the salary of the Lord Lieutenant of Ireland, the vicegerent of the King, an accurate statement was made of the increased price of wines and other articles of household expenditure.

Mr. *Bathurst* said, those who opposed the committee appeared to be wholly anxious to get that part of the accounts into their consideration which were of a private nature.

After a few further remarks from Mr. Whitbread and Mr. Bathurst, the committee was appointed.

Lord *Milton* then moved, that the committee have power to send for persons, papers, and records.

The House divided, when there appeared, For the Motion, 29; Against it, 108: Majority 79.

List of the Minority.

Atherley, A.
Bankes, H.
Barham, J. F.
Bennet, H. A.
Combe, H. C.
Calcraft, J.
Ferguson, gen.
Fitzroy, lord J.
Grenfell, P.
Hurst, R.
Hamilton, lord A.
Jervoise, —
Lloyd, M.
Monck, sir C.
Moore, P.
Martin, H.
Newport, sir J.
North, D.
Osbaldeston, G.
Ponsonby, rt. hon. G.
Ridley, sir M. W.
Robinson, G. A.
Smith, J.
Spencer, lord F. A.
Tierney, G.
Wrottesley, H.
Whitbread, S.
Western, C. C.
Warre, J. A.

TELLERS.

Creevey, T.
Milton, lord.

HOUSE OF COMMONS.

Friday, May 28.

Sir *C. Burrell* complained of what he had said last night having been misrepresented in a morning paper. He had no doubt it was unintentional, but he wished to correct the matter. The paper stated that he had said, " the marshalmen were guilty of unwarrantable impositions on persons who go to court; and that they were guilty of extortions under various pretexts:" whereas he had not said any such thing. He had only mentioned, that their salary was very low, and that they paid a considerable sum for their places, which obliged them to offer a book to persons going to court, for the purpose of obtaining such a present as might be agreeable to the party. He believed them to be a respectable body of men, and wished to have their salaries increased, in such a way, that they might not be under the necessity of any other remuneration for their trouble.

Petition from the Merchants of Glasgow respecting the Cotton Trade.] A Petition of several merchants, manufacturers, cotton spinners, and calico printers in the city of Glasgow, and in the vicinity thereof, was presented and read; setting forth,

"That the cotton manufacture is of the most essential importance to that district of the empire, as it affords a most extensive employment to industry and capital; and that a very large proportion of the cotton wool which is employed in the manufacture is of the growth of the United States of America, and that quality denominated American Sea Island, is almost exclusively employed in the manufacture of the finer fabrics of the district; and that the petitioners have learnt, with great alarm, that petitions have been laid upon the table of the House, praying for a prohibition, and other regulations on the importation, of cotton wool the growth of the United States of America; and that the exclusion of American cotton wool from the British market in this manner, as it will increase the quantity in the American market, and will not prevent its having access to the continent, will have a necessary effect to diminish the price to the manufacturer in America, and to render it cheaper to the manufacturer upon the continent, while, by diminishing the quantity of the raw material in Britain, it will raise the price to the British manufacturer, and thus operate at once as a high premium to the manufacturers of rival nations, while in this kingdom it would have an opposite effect, equal to the highest duty; and that the operation of the Act of the 49th of the King, for repealing the duties of customs chargeable in Great Britain, and for granting other duties in lieu thereof, has already been severely felt by those engaged in the cotton manufacture, the tax it imposes on cotton wool being equal to 30*l.* per cent. upon the whole average labour of cotton spinning, and as much upon a large part of the manufactures of piece goods; and that the petitioners have received the most authentic information that flourishing manufactures of cotton, possessed of every natural advantage, have lately been established in many of the United States of America; and that, during the exclusion of British manufactures from the continent of Europe, the manufacturing of cotton goods in the Prussian, and other states, has made such progress as to render it no longer expedient to send to the markets of the North of Europe any but the finer fabrics; and that the petitioners cannot contemplate the measure of a prohibition otherwise than as calculated to stimulate and reward the exertions of the manufacturers of rival nations, and to depress still more the cotton trade of this country, which for years back has been in a state greatly depressed and declining; and that, independent of the impolicy, upon general principles, of adopting a measure which will necessarily enhance the price of a raw material, the petitioners, in the particular circumstances already stated, consider it peculiarly dangerous, by any restriction on importation, to prevent the British manufacturers from obtaining their supplies on equal terms with the continental manufacturers; and that not only the prosperity, but even the existence of the cotton manufacture of this country, for the supply of the European markets, depends in a great measure upon our being able to obtain a supply of all sorts of cotton upon an equal footing with their native manufacturers; and praying, that the House will enter into a minute investigation of this important subject, before they adopt any measures which can assist the efforts of foreign nations to supplant the cotton manufacture of this country, or which can in any way affect interests so delicate and important, and essential to the existence of a demand for British cotton goods in foreign markets."

Ordered to lie upon the table.

Fire Arms' Improving Bill.] On the order of the day for the second reading of the Bill to insure the proper and careful manufacturing of Fire Arms, and preventing injuries which frequently arise from the bursting thereof, by making provision for proving the barrels of such fire arms, Sir *James Shaw* expressed a wish for the imposition of severe penalties upon any manufacturer of fire arms who should affix to his manufacture the name of another. As such a practice was highly injurious to the manufacturer, whose name was forged, and as forgery was visited with the most severe punishment in every civilized nation, he could not conceive upon what principle the description of forgery to which he had alluded should be allowed to escape with impunity, or why it should not be visited with exemplary punishment. He hoped the honourable mover of the Bill would introduce a clause to meet this abuse, and also to provide against the marking of fire-arms "London," which were manufactured in Birmingham. If such fire-arms were even proved in London, he should have no objection to the mark—but otherwise, such deception called for legislative interposition.

Mr. *Benson* said, the proposition made by the hon. baronet had been before rejected by the House; and it was absurd, that guns, already proved in Birmingham, should be sent to London to be proved again.

Sir *C. Mordaunt* said a few words in favour of the Bill, after which it was read a second time, and ordered to be committed on Monday.

Irish Fire Arms' Bill.] On bringing up the Report of the Irish Fire-Arms Bill, Sir *J. Newport* said, that what he had offered on a former evening by way of objection to the Bill, was owing to the right hon. mover of the measure not having stated any particular reasons for continuing the Act; and he did not think any thing which tended to trench on the constitutional liberty of the subject should be brought forward without a special cause assigned. As, however, in the course of the conversation that took place, two or three hon. members who had a thorough knowledge of the state of the country had mentioned cases which he lamented to hear, and which called for the attention of government, he was one of the last who would wish to throw any impediment in the way of such a measure, and had no farther objection to the Bill.

The Report was received, and the Bill ordered to be read a third time on Monday.

Irish Rents' Bill.] Sir *J. Newport*, in moving for leave to bring in a Bill to amend the laws in Ireland with regard to landlord and tenant, observed upon the confusion and injury resulting from the present state of the law, particularly to the poorer tenantry, who were too often obliged to submit to injustice from an inability to obtain redress, particularly in cases where the property of the occupying tenant was distrained in consequence of the malfeasance of the person under whom he held, and such cases of distress, he assured the House, but too often occurred in Ireland. The hon. baronet also took notice of the grievance occasioned to landlords by the mode of ejectment, which process was so expensive in Ireland, that where the property was small, it was generally found more advisable to submit to injury than to resort to such a remedy. To remove these inconveniences was the object of his Bill, which he proposed merely to bring in to have read a first time, and to let it stand over until the next session, in order that opportunity should be afforded for fully considering its provisions on the other side of the water. The right hon. baronet concluded with moving, "That leave be given to bring in a Bill to amend and incorporate the laws relating to distresses for rent in Ireland, and to secure the tenantry from abuses committed under authority thereof;" which was accordingly granted.

HOUSE OF LORDS.

Monday, May 31.

Irish Catholics.] The Duke of *Norfolk* introduced to their lordships the Bill of which he had given notice on a former day. The object of this Bill was to secure to the Catholics of Ireland, while in this country, the immunities they were entitled to by 33 Geo. 3, granted to them in 1793, whereby they became free from the penalties of the 21 Car. 2, and therefore his Bill particularly provided that they should be exempt from the same while in Great Britain, the islands of Jersey, Guernsey, &c. or while serving on board the navy on other stations. The noble duke proceeded to read so much of the Bill, as tended to explain its nature and tendency, and concluded by saying he should move that the Bill be now read the first time, after which he should also move that the Bill be printed, and at a future day he should give notice of the second reading, when it might be taken into consideration.

The Bill was accordingly read the first time, and ordered to be printed.

Smithfield Market Bill.] The Duke of *Bedford* said, he rose for the purpose of moving, that this Bill be read a second time. In doing so, he considered it his duty shortly to state those reasons, which, in his opinion, ought to induce their lordships to agree to the present motion. The immediate object of the measure was to relieve the public of the greatest part of the grievances and inconveniences of which they justly complained, and also to benefit the community in other respects, by altering and enlarging Smithfield market. Their lordships would recollect, that the charter by which this market was held, was of great antiquity, and that the corporation of London had great rights and interests in the same. But one of the greatest objects on which the legislature could turn its attention, was that provision, by which all towns, and more especially the metropolis, were enabled to supply the community with animal sustenance; consequently, markets like Smithfield were of the highest importance to the public welfare, and every measure which could tend to improve them, for the purpose of rendering them more adapted to public convenience, was a subject of weighty consideration. This particular market having existed in ancient times, and afterwards being surrounded as the city extended itself, from the vast increase of population, and the number of cattle and sheep which were driven there on a market day, there was not room for their being exposed to sale, and much inconvenience had resulted to those who were more immediately concerned, as well as to persons in the vicinity. He held in his hand a paper containing the returns of cattle and sheep in that market for 23 years; and taking the first five years, of that period, and the last five years, the average annual increase of the former was 30,000, and of the latter 200,000. It was extraordinary to him, that any opposition could be made to the principle of the Bill; for whatever objections might exist as to its clauses, they could easily be removed in the committee. At the same time he did understand, the measure was to be opposed on the second reading; accordingly, he should now have an opportunity of knowing the grounds of such an opposition. The noble duke then moved, "That this Bill be now read a second time."

Lord *Ellenborough* concurred with the noble duke in many of his observations as to the importance of this subject. The antiquity of this market was unquestionable, it having existed, he believed, in the reign of Edward 3, and a charter was afterwards granted in the reign of James 1. At first, however, the whole scite on which the market is kept was not originally within the limits of the city. With respect to the rights of the corporation, he had more information from others than actual knowledge of his own. But the great objection he entertained to this measure was, that it did not go to remove the nuisances and inconveniences to which it was applied. The contracted situation of the place, the narrow avenues leading to it, and the crowded and confused scenes of a market day, rendered the existence of it in its present state a nuisance to individuals and the public at large. Holding the office of governor of the Charter-House, it had been his fortune to proceed there on a market day, when he was in apprehension for his personal safety, and in imminent danger of the pannels of his carriage being broken by the horns of the bullocks. Certainly he did arrive safe, but such was the state of the market that it was not without considerable apprehension. Besides, as a governor of the Charter-House, it was his duty to consider the injury which would result to this antient and useful institution. Upon general grounds, he admitted, that private interest should never be brought into competition with a great public good. But here the grievances would not be remedied, for the provisions of the Bill would tend to perpetuate the existence of the evil. The Charter-House could only say, the present nuisance is great, and if the market is not removed, we must submit to it; but we will never consent to the extension of it. In this institution there were eighty old men, about forty boys on the foundation, and, with other persons, it contained about 200 souls. The extending of the market, intended by this measure, would on a market day prevent these persons enjoying any safe and convenient outlet, without proceeding circuitously to any of the principal parts of this large town. He should be very ready to support any Bill which should have for its object to select a more appropriate situation for the market, and the remedying a nuisance felt by almost every individual in his progress, on a market day, to that part of the town; but as to the present Bill, he should, for the reasons he had already stated, move that it be read this day three months.

The Earl of *Lauderdale* was astonished at the reasons which the noble and learned lord had given, for opposing this Bill, on a motion for the second reading. The objections which he had stated, went only to the propriety of its being altered in the committee. The noble and learned lord had complained of the inconvenience he had experienced in his progress through Smithfield, on a market day, and that the pannels of his carriage were in danger from the bullocks' horns; but was no danger to be apprehended on the part of the bullocks, from the pole of the noble and learned lord's carriage? In opposing this Bill, it had been admitted that the market was too confined and crowded, and the streets too narrow; yet though the Bill stated all these inconveniences as the ground upon which its principle was founded, still the noble and learned lord having complained of this nuisance himself, meant to vote against the principle, and for no reason whatever obvious to comprehension.

The *Lord Chancellor* shortly maintained, that this Bill was inadequate to the object it seemed to have in view. He was convinced nothing could remove the evils complained of, except the removal of the market itself to another more appropriate and commodious place, such as the top of Gray's-inn-lane, out of the suburbs of London. The present measure would not, he was certain, remove the evil, but tend to perpetuate it; and, as a friend to the interests of the Charter-House, of which he was a governor, he could never consent to this measure, on account of the injurious consequences with which it would be attended. The small increase of three quarters of an acre, could not, in the calculation of any man, be considered competent to afford the relief which was now necessary on account of the confined situation.

The Marquis of *Lansdowne* said, he had walked through Smithfield on a market day, and had experienced considerable inconvenience. But the principle of this Bill was the remedying this nuisance; and that being the principle, it might be considered, in the committee, whether it could be best carried into effect by removing the market to another part of the town, or by widening its present situation. In his opinion, the noble lords could not consistently oppose the second reading.

The Earl of *Liverpool* did not mean to oppose the Bill, as being intended to give a degree of relief; but that would be comparatively little, and more likely to be productive of injurious consequences, as it would perpetuate the mischief. Besides, if the measure should not produce the effect supposed, and it afterwards became necessary to remove the market, let noble lords consider, if the difficulties attending its removal now, on account of the interests of individuals in the place, how much more difficult would it become, when the space was increased, and other individual rights in the interest of the market were added to the present. The Charter-House was deserving of consideration, when its interests were to be maintained by no opposition to public good. He contended, therefore, for the inexpediency of the present measure; it was his duty to take care, that the nuisance now suffered by that valuable institution, should not be increased by the present Bill.

The Duke of *Bedford* shortly replied, and observed, that this was the eleventh application that had been made to the legislature, for the removal of these inconveniences, and on two occasions application was made for the removal of the market, and yet that measure also had been resisted.

The Lord Chancellor then put the question, that the Bill be now read the second time, when a division took place. Contents 16. Not Contents 25. Majority against the second reading 9.

Lord Ellenborough's amendment was carried without a division, and consequently the Bill is lost.

HOUSE OF COMMONS.

Monday, May 31.

Mr. Palmer's Claims.] The *Chancellor of the Exchequer* signified his intention, pending the progress of Mr. Palmer's Claim Bill, to move for a Select Committee to take the circumstances of the case into consideration. To this proceeding, he hoped the hon. colonel opposite would have no objection.

Colonel *Palmer* observed, that the appointment of a select committee, to investigate those claims, could answer no other end, than to create delay. A Committee of that House had already decided in favour of the claimant's demands, and he did not believe that any additional evidence could be adduced on the subject. As, however, the character of Mr. Palmer was, in the eyes of his family, an object infinitely superior to every other consideration, he should be unwilling to object to the right hon. gentleman's proposition.

The *Chancellor of the Exchequer* said, it was of very great importance, both with reference to the character of the House, and to that of the individual, that an ample enquiry should take place. It was the anxious desire of his Majesty's government to do every thing which was consistent with justice. And the hon. colonel himself must be aware that as the present was a new parliament, many persons were very imperfectly informed on the state of the transaction in which those claims originated. He then moved, "That a Committee be appointed to consider of the Agreement made with Mr. Palmer for the reform and improvement of the Post Office and its revenue, and to report their observations thereupon to the House."

Mr. *Peter Moore* said, that every information which could be procured on this subject, had already been produced; it had, in fact, been adjudicated by the House. He recollected, when it was before entertained, he enquired of a right hon. gentleman opposite (Mr. Long) whether he could point out any channel by which further information could be obtained; and he was strangely in error, if that right hon. gentleman did not answer in the negative.

Mr. *Long* said, that when the question alluded to by the hon. gentleman was put to him, he had not so complete an acquaintance with the subject as he had since attained; and therefore he answered in the way which had been stated. But if he were now asked, whether he believed more information could be obtained, he should say, without hesitation, that he really thought there could. The hon. gentleman had observed, that the case was adjudicated by the House. Now, what was the fact? In the time of Mr. Pitt a committee decided against the claims of Mr. Palmer; since that period, however, another committee had come to a different conclusion. Under such circumstances, was it fair to say, that the case was finally adjudicated? Besides, he would put it to the House, whether at the commencement of a new parliament, a committee (comprising a sufficient number of the hon. gentleman's friends) should not be appointed to enquire into the claims and report thereon to the House?

On the question being put,

Col. *Palmer* observed, that as the former committees, appointed to investigate these claims, were open, he thought the same principle should be pursued on this occasion. If, however, the right hon. gentleman was decidedly in favour of a select committee, he should not oppose it.

The *Chancellor of the Exchequer* said, the appointment of an open committee would be extremely inconvenient.

The *Speaker* thought it right to explain to the House, that technically speaking, every committee, except that of the whole House, was a select committee. If, therefore the motion for a select committee was negatived, it was repelling the proposition for a committee altogether. The motion for the committee being once carried, it remained to be decided what number of members it should consist of.

Mr. *Horner* said, it was not his intention to divide the House on the question; but, if any other gentleman pressed the House to a division on the subject, he should vote against any committee whatever; because parliament were already in possession of every information on the subject.

The motion was agreed to. On the names of the gentlemen who were to form the committee being put from the chair,

Mr. *Peter Moore* again rose. He observed, that the question had been decided over and over again. Two Bills had passed that House, and were in progress through the other, recognizing Mr. Palmer's right. It was most unjust to say, that no agreement had been entered into with Mr. Palmer. It was true there was no sign and seal; but there was, in his opinion, a better testimony to the fact. There had been a dividend of the assets of the Post office paid over to the claimant.

Mr. *Long* never asserted that there was no agreement. What he maintained was, that the agreement was not of such a nature as Mr. Palmer and his friends contended it to be. They now gave to it an interpretation which neither Mr. Pitt nor Mr. Palmer himself, the parties to the agreement, had originally contemplated. When they were called on to grant the money of the public, to the amount of 90,000*l.* and 10,000*l.* per annum, to an individual, he thought enquiry was absolutely necessary. This sum was alleged to be due for the practical application of a certain discovery; but the official duties of Mr. Palmer were included in the agreement; and then came the question, In what way had he fulfilled those duties?

Mr. Browne, and Mr. Howorth spoke in favour of the committee.

Mr. Peter Moore moved, in addition to the gentlemen named by the Chancellor of the Exchequer, "That all the members of that House, who, in the former parliament served in the committee for investigating Mr. Palmer's Claims, should be members of the present committee." He, however, abandoned this amendment, and substituted, "That all members who please to attend the said committee, shall have voices therein."

On this proposition the gallery was cleared for a division.—During our exclusion we understand, some farther conversation took place, and Mr. Moore consented to withdraw his amendment.—The Committee, of course, remain as they were proposed by the Chancellor of the Exchequer.

INSOLVENT DEBTORS.] Sir *S. Romilly*, after presenting a Petition from certain insolvent debtors, called the attention of the House to a Bill for the relief of prisoners confined for debt, which was then pending. That Bill, he hoped, would undergo a mature consideration. It made a considerable alteration in the law of debtor and creditor, and was expected with trembling anxiety, by many persons throughout the country. The alterations to which he alluded, would, in his opinion, greatly improve the law of the country. They would, at the same time, support the prosperity of the country, and tend to ameliorate the manners of the great mass of the population. To this Bill, he understood, there would be powerful objections; and all he meant to impress on the House was, that members should pay that attention to it which its importance deserved, and not permit it to be thrown out, from ignorance of its provisions. The committee stood for Wednesday next; and as it would probably come on then, he hoped the attendance of members would be numerous.

Mr. *Kenrick* said, that, in consequence of the little attention which had been paid to the Bill, he had, from time to time, postponed its consideration.

CATHOLIC QUESTION.] Mr. *Grattan* gave notice that he would, early in the next session of parliament, move for leave to bring in a Bill for the relief of his Majesty's Roman Catholic subjects in Ireland.

SWEDISH SUBSIDY.] Mr. *Ponsonby* said, that some time since he had taken the liberty of asking the noble lord opposite a question, respecting the situation of this country with regard to Sweden, and also with relation to Denmark; he now wished to know whether any sum of money had been advanced to the former power, in addition to that which had already been appropriated for the purpose, from the vote of credit? On the answer he should receive to this question, in the first instance, entirely depended the course he should finally pursue.

Lord *Castlereagh* said, he had no difficulty in stating, that certain advances had been made to Sweden, beyond those appropriated from the vote of credit. He, however, rather hoped that he should shortly be enabled to make a communication on the subject to the House.

Mr. *Ponsonby* observed, that when the noble lord said he rather hoped he would be able to make a communication, he could not help wishing that the noble lord had stated the fact with more confidence. However proper it might be for government, when parliament was not sitting, to make use of a part of the vote of credit, still, he was of opinion, when the House was exercising its functions, the appropriation of the public money without any notification to parliament, could not be allowed. The noble lord had informed the House, that certain sums had been granted to Sweden, independent of those taken from the vote of credit: if he could express himself with a little more confidence, on the subject of the intended communication to the House, he should say nothing more on the business; but, if he could not state, that, immediately after the recess, he would be prepared to make the communication alluded to, he (Mr. Ponsonby) should consider it his duty to give notice of a motion on the subject.

Lord *Castlereagh* was decidedly of opinion, that he should be enabled, very speedily, to make the communication. He was desirous of stating this originally, with no other reserve, than that he could not absolutely pledge himself to it. His reason for this was, the anxiety he felt that the question should be discussed with as much information as possible, that parliament might be perfectly capable of judging of it accurately.

Mr. *Ponsonby* said, as the noble lord had proceeded to a considerable greater degree of confidence than he evinced in the first instance, he should say nothing farther on the subject.

EAST INDIA COMPANY'S AFFAIRS.]—Lord *Castlereagh* moved the order of the day, for the House to resolve itself into a committee of the whole House, to consider further of the Affairs of the East India Company.

Mr. *P. Moore* wished to know, whether the new and altered string of Resolutions, or those formerly proposed by the noble lord, were to be the subject of discussion in the Committee? With regard to the altered Resolutions, it was not many minutes since they had been put into his hand, and he had not even had time to read them.

Mr. *Baring* thought it an extraordinary proceeding, that the House should go into a committee on a string of new Resolutions which no one had had time to read. The House should certainly be informed whether they were going into a committee on the old or new set of Resolutions.

Mr. *Grant* said, it would be acknowledged on all hands, that the present question was of the last importance to the East India Company; and yet the court of directors had only that morning been apprised of the alterations which had been made in the Resolutions as originally proposed. He trusted, therefore, that the noble lord would not press their consideration in that precipitate manner, when the court of directors, whom they so nearly concerned, had had no opportunity of forming any opinion upon them, and when they had not been perused by one tenth of the members of that House.

Lord *Castlereagh* felt the grounds advanced to-night not much more weighty than those which had been urged on a late occasion. He fairly owned that he could not understand the policy of postponement. It would have been perfectly competent for him to have moved in the committee those alterations without any previous notice, but he was desirous of giving all the previous information in his power, and then the tactics were to represent the whole of the Resolutions as having undergone a change. The alterations were chiefly in the third Resolution, and there was a great deal of preliminary matter to be discussed before they should come in contact with it. If the House felt that there was any new matter in point of principle, he should allow it to form a fair claim for the postponement of the question; but as the general discussion would take place before they came to the details, he thought there was no good ground for delay. He had it in contemplation to propose that they should begin by discussing the second Resolution first, as embracing one of the great branches of the question, after which would follow the trade to India, instead of beginning with the first Resolution, which was rather to be regarded in the light of the preamble to a Bill than as any particular proposition.

Mr. *R. Thornton* hoped the House would not plunge the court of directors into a debate on Resolutions, the bearings of which they could not possibly have considered. He trusted, that in a question of such immense importance, not only to the East India Company, but the empire at large, the House would proceed with all due caution and deliberation.

Mr. *Whitshed Keene* objected to going into a committee at present.

Mr. *Canning* agreed with the hon. gentleman, that it was incumbent on the House to proceed with the utmost deliberation; but could not prevail on himself to think, that postponement of the question from day to day was any deliberation at all. Were the proceedings postponed now, he had not the smallest doubt, but it would be considered out of doors, that the question was adjourned, at least for the present session. It seemed to be the idea of the noble lord, that the consideration of the first Resolution should be postponed; and that the Committee should that night come to the discussion of the second proposition, which respected the trade to China; and on which he (Mr. Canning) had given notice of his intention, to move an amendment, as to the time, during which the Company's exclusive trade with China should continue: but neither did he suppose that the discussion on the China trade could be satisfactorily gone into, till the sense of the House was ascertained, whether any alterations at all should be made in the Company's charter? Until that question were decided one way or another, it would be in vain to consider the limitations or restrictions which it would be fit to impose on their exclusive privileges. The first question, he conceived, would naturally be, whether any alterations should take place; and when that was decided, the consideration of the details would as naturally follow.

Sir *J. Newport* agreed with the right hon. gentleman, that the country looked for the decision of the question, and the House had no option left but to proceed at once, or abandon the discussion altogether. Where further delay was spoken of, it looked too much like a wish to take advantage of the unavoidable absence of members at a later period of the session.

Mr. *Ponsonby* confessed, that he, for one, entertained considerable doubts as to the propriety of coming to the completion of the measure during the present session, for in a short time there would not be a sufficient attendance for a satisfactory and final decision. But he was far from thinking that it was not right to proceed at all now: on the contrary, he thought that much might be done though they might not have it in their power to go so far as to pass an act of parliament binding on all parties. There was one most material consideration which did not appear to have been sufficiently attended to, and that was, the proposition to allow the exclusive trade to the Company for twenty years more. Now, he confessed, that of all the propositions, none appeared to him so doubtful as that, for even though he might be disposed to think it right to renew the charter, yet he might object to the term of 20 years. This he merely mentioned in order to bring it under the minds of gentlemen, and not for the purpose of declaring any positive opinion. If the noble lord had resolved to proceed this session to the completion of the measure, the sooner he began the better for his own purpose.

Lord *Castlereagh* said, that the further disposal of the question depended so much upon circumstances, that it would be presumptuous in him to say more than that he conceived the sooner they approached the subject the better. It would be no small progress if they did no more than understand each other, and sift the question to the bottom. He could assure the House and the Company, that if he resisted delay, it did not proceed from any uncandid wish on his part to decide hastily against the interests of the Company; but solely that they might make some progress in the discussion. The noble lord then repeated his opinion, that it was better to begin by discussing the second Resolution, leaving out the concluding words which had a reference to time; and after the opinion of the House had been ascertained on the two great branches of the question, the China and India trade, they could more conveniently apply themselves to the details. That was the course he had in contemplation, and as he believed that unless the House turned their backs on the measure, the sooner they were in the committee the better, he should persist in moving, That the Speaker do now leave the chair.

Mr. *Abercromby Robinson* said, that his only reason for wishing a short delay was, that a most material alteration had taken place in the third Resolution. It went to establish a system of licences under the authority of the Board of Controul, and as that system, even in cases of necessity, was injurious, he trusted that it would hardly be adopted in making arrangements for India.

Lord *Castlereagh* had no objection to say, that if the hon. directors did not wish a discussion on the third Resolution for the present, he was not disposed to press it.

General *Gascoyne* said, that as the advocates of the Company sought a different ground of delay every day, the sooner the House proceeded the better.

The House then resolved itself into the Committee: Mr. Lushington in the chair.

Lord *Castlereagh* proposed that the Committee should proceed to the consideration of the second Resolution, which respected the continuance of the China trade to the East India Company. He suggested this mode from a conviction that the Committee, when in possession of the particulars connected with that trade, and with the relative situation of the Company, would be better enabled to come to a full and mature discussion upon the general subject. If any other course were pursued, it appeared to him that the House would entertain the consideration of generalities without any essential or particular benefit. He should, therefore, move the second Resolution in the first instance, leaving out the words of reference as to the period of time during which the Company was to be in possession of the privilege. He had had an opportunity of stating his views of the subject in this respect, and should not, therefore, unnecessarily occupy the time of the Committee in recapitulating his arguments; for there would, both with regard to the second Resolution, and to others, be many occasions of considering them at length, of proposing such alterations as might seem expedient, and of suggesting amendments upon all of them respectively.

Mr. *J. Smith* expressed his opinion, that the best plan for the noble lord to pursue, would be to adhere to the measure as it originally presented itself to the House. He thought that it seemed impossible to consider the trade of China separately from the trade of India. They were, in fact, so very intimately involved and connected, that to enter into a separate discussion, would but lead to intricacies and perplexities which it would be difficult to disentangle.

Sir *John Newport* objected to the mode proposed by the noble lord, of beginning with the second Resolution. It would be, in reality, to prefer the consideration of a part to that of the whole—to neglect a greater for a minor point. The first Resolution was, in truth, that upon which depended all the arguments, all the evidence, whether for or against the East India Company's claims, which could be produced. The Committee were called upon, in the first instance, to decide whether there should or should not be a monopoly. Unless that most material point were settled, it would be altogether idle and absurd to proceed to minor considerations. Under this impression, he thought it impossible for the Committee to agree to the noble lord's suggestion; and he, therefore, begged leave to press the absolute necessity of considering the first Resolution. Were the Committee to act otherwise, he was persuaded their conduct would be attended with a very considerable loss of time; and that the question which most peculiarly called for decision, would be left in a precarious and doubtful state.

Mr. *Bathurst* contended, that it would, in every point of view, be more suitable to the objects before the Committee to take the second Resolution into their consideration. As the second related to the continuance of the China trade to the Company, and the third Resolution to the extension of the trade to the out-ports, it was evident, that in these two were comprehended all the great ends which were to be gained by the proposed discussion.

Mr. *Canning*, without wishing to suggest any sentiment upon the general question, as it related to the interests of the empire at large, or to the interests of the East India Company, or as it might be supposed to involve and combine them both—thought it much better, as a guide to the Committee, that there should be a leading proposition, a grand principle laid down for the conduct of the House. It should, in fact, be understood plainly and unequivocally, that there did exist a Company with certain privileges, authorities, and immunities, whether of trade or government, before the particularities which might be classed under privileges, authorities and immunities, came to be discussed. Until such a principle was admitted and recognised, it was impossible that the House could make any way in the question which was submitted to their consideration. Without such a proposition, many minor points might be gone into, many subordinate topics might be started,—but still the want of a clear guide, a certain criterion, would be materially felt in the further progress and subsequent stages of the proceedings of the House. The second Resolution indeed stated, that the China trade was to be continued to the East India Company; but was it defined how that Company was to be constituted,—how it was to be gifted, either with commercial or political powers, —what its privileges and immunities, either of government or of trade, were to be? Not a single point of all these material considerations was settled,—no: not even suggested; and yet the Committee were called upon to agree to a resolution granting the continuance of the China trade to a Company of whom they knew nothing, —of whose powers and rights they had no fixed standard,—and which Company, when in the possession of the China trade, might be precluded from the beneficial and salutary exercise of it, by some subsequent regulation affecting their imperial government, or their independent commerce in another quarter. For his own part, he could never consent to grant the China trade to any Company not possessing the trade of India. He should not, however, take up and urge the grant of a term of 20 years to the Company, but he merely was desirous that the Committee should have, what appeared indispensably requisite, an affirmation or negation of the East India Company's existence. He could not for a moment imagine, that the House would enter into a variety of details and subordinate topics, which actually depended upon the affirmation or negation of that question. The Committee would not, he was convinced, forget, that the trade to China, or to India, was not the sole object for their consideration. They had to enter into a review of the Company's rights and claims in their political capacity. In that capacity many important topics strongly suggested themselves, and as none of these were alluded to, and as that great Company was not mentioned as possessing governing powers, and as being the governing instrument of India, it was undeniable that those who held such an opinion could have no means, no opportunity, in the course of discussing the second and third Resolutions only, of affirming that opinion, and supporting it by the arguments which they might be enabled to bring forward. He was therefore justified in expressing his opinion, that the Committee would act altogether more consistently by setting out with the consideration of the first Resolution, omitting, perhaps, a few things, and by deciding at once, as a necessary preliminary, whether the Company was to exist, with all its imperial rights and capacities? How was the trade to China to be continued according to the second Resolution, to which the noble lord wished, in the very first instance, to direct the attention of the Committee? It was left for the Committee to decide, indeed, that it was to be continued to the East India Company; but with respect to the peculiar constitution of that Company, to the nature of its powers and privileges, and to its commerce either with India, or with any other part of the world, the Committee could form no opinion, for they had no information, no guide, no distinct statement, no specific grounds. To entertain the second Resolution, would be to begin where the Committee ought to end; for while it granted to the East India Company the continuance of the privilege of trade to China, it left undefined the privileges and immunities of the Company, without a certain and precise knowledge of which the very trade so granted might nor only be prejudicial to the Company; bnt highly dangerous to the best interests of the empire. Were the noble lord's suggestion entertained, the Committee would be obliged to proceed to a subordinate topic, without any allusion to, or notice whatever, of the East India Company, as a great political, or a great commercial body. Yet these formed questions of a nature very distinct in their respective views. Although blended and interwoven, they could not, as a whole, be separately considered in their effect and operation upon the British empire in India, and the interests and prosperity of the state at home. Were the Company to be divested of their possessions in India, he would ask, to what use, to what purpose, would it tend, to grant them the exclusive trade to China? With this feeling, and these sentiments, he thought the first Resolution was that to which the attention of the Committee ought to be directed in the first instance, as the great ground-work of their subsequent proceedings, and the just and natural cause of all the effects that were to follow. So far he objected to the proposed mode of proceeding; and he considered that in bringing forward the first Resolution, the real objects for the consideration and decision of the Committee would be fairly attained.

Lord *Castlereagh* thought, notwithstanding the observations made by the right hon. gentleman, that the Resolution was so very general as to define nothing, and that it might, if entertained, leave the whole question to be afterwards discussed. The general debate would in reality range under the second Resolution, and the words, 'for a farther period of time to be limited' might be substituted, instead of 20 years. He did not, however, wish to press his proposition upon the Committee.

Mr. *Canning* replied, that the arguments he had employed had been strengthened by the noble lord's remarks.

Lord *Castlereagh* observed, that although he was by no means a convert to the right hon. gentleman's arguments, he was ready to concur in adopting any course of proceeding which might meet the wishes of the House. He therefore, should move the first Resolution: namely,

"That it is expedient that all the privi-"leges, authorities, and immunities grant-"ed to the United Company of Merchants "trading to the East Indies by virtue of "any act or acts of parliament now in "force, and all rules, regulations, and "clauses affecting the same, shall continue "and be in force for a further period of "time to be limited, except as far as the "same may hereinafter be modified and "repealed."

On the question being put,

Mr. *Marryat* objected to the Resolution as being too loosely worded, he thought the "privileges, authorities and immunities" therein mentioned, ought to be distinctly and clearly defined.

Mr. *Bruce* rose. He introduced his observations on the subject, by stating, that his object was to submit to the consideration of the committee, in the shortest practicable manner, the series of events, which had marked the progress and actual state of the East India Company's affairs; leaving it to the unbiassed judgment of members to draw, from facts only, such inferences as might enable them to form their opinions on this great national question.

If the arrangement of Indian affairs, at this crisis, led only to the abstract question, whether an open trade, or a regulated trade, would be most for the advantage of the kingdom, little more could occur, than arguments leading to conclusions, upon which a speculative system of Indian affairs might be devised; but if the question shall be allowed to assume its true character, whether British India, and the trade to the countries within the Company's limits, could be best preserved for the public advantage, by adhering to the system which now exists, with such modifications as could, in any way, consistently with the preservation of that system, meet the expectations of the numerous claimants for the open trade?—or, whether the existing system of Indian affairs shall be, at once, abandoned? it would require, indeed, very serious reasons to support such a measure, and will impose an awful responsibility on those, who may devise or bring about such a political and commercial innovation. The following subjects, Mr. Bruce observed, would necessarily require attention, before any decision, founded on fact, or on experience, could be effected :—

1. The successive Rights of the Company, in the exercise of which they have acquired and administered the Indian empire, and the commerce which has been inseparably connected with it.

2. The experience of more than 200 years, during which the commerce of Great Britain, with the East Indies, has been preserved to the realm, by means of exclusive privileges, notwithstanding a succession of attempts at partial, though not equally great changes with those which are projected.

3. An enumeration of the Losses and Dangers in India, and to the China trade, which, he apprehended, a deviation from the existing system of Indian affairs might produce.

4. A short examination of the Sources of the Applications for an Open Trade; of the proposed Resolutions; and of the Evidence subsequently laid before the House by the Company.

Before entering upon any of these subjects, Mr. Bruce observed, that it was not his intention to enter into any discussion respecting monopolies, or whether the East India system could be classed, by any man of sound sense, under that unpopular denomination; because, however acceptable this species of reasoning might be, to those who are accustomed to argue from hypothesis only, all that could be said on the subject, would, to men of experience and knowledge of Indian affairs, appear useless, and to those who were resolved to be the dupes of their own speculations, irrelevant.

He, therefore, proposed to limit the whole of the observations which he had to offer, to the subjects which he had enumerated.

In adverting to the Rights of the East India Company, in the exercise of which they had acquired and administered the Indian empire, and preserved a direct trade between England and the East Indies, he shortly detailed the following series of facts.

The Company were constituted by queen Elizabeth, a body politic and corporate, with succession, with power to acquire and dispose of property in England, and to acquire by purchase, or by treaties with the native princes, such stations, within their limits, as might become factories or seats of trade. In explanation, he remarked, that this charter, like a law, was perhaps better understood by referring to the events and circumstances under which it was granted, than by the mere letter of the charter itself.

The connection between England and the seventeen provinces of the Netherlands had existed for ages, and had been of commercial importance to both countries. When Charles 5 reduced the whole of the seventeen provinces to his obedience, he allowed the seven northern provinces to retain many of their civil rights; and as, at this period, the reformed religion, of which the queen was the avowed protector, had made considerable progress in those provinces, she secretly encouraged the Protestants in the Netherlands, at the time that Philip 2, was endeavouring to establish absolute power, and the inquisition, in his Flemish dominions. These circumstances produced the union of Utrecht, in 1579, and laid the foundation of the government of the states general of the United Provinces, which, under the direction of the first prince of Orange, asserted and maintained the independence of the Dutch.

The territory which the Dutch possessed was narrow, and, with the exception of its natural maritime strength, afforded resources that were unequal to raise and to maintain a force sufficient to oppose the armies and fleets of Spain. The States, therefore, armed and equipped ships, which they sent to the East Indies, partly with a view of making prizes from the Spanish Portuguese fleets (Spain and Portugal being then united under the same sovereign) and partly with a view of finding resources from trade, by which they might defend the independence of their country in Europe.

The success of the Dutch, in this enterprize, was necessarily known to the English merchants, who formed, in London, an Association of Merchant Adventurers for trade to the East Indies, and applied to the queen for a charter of incorporation, that by their equipments and trade, they might open a direct intercourse between England and the East Indies.

With that cautious policy, which distinguished this wise sovereign, the queen, (though induced to listen to the application of the Merchant Adventurers, from their desire to enlarge that maritime power by which she had preserved the independence of her crown against the Armada of Spain, in 1588), required a report from them on the countries to which they proposed to trade, that she might not involve herself in contests with the maritime powers with which England was in alliance; and, after subjecting this report to the examination of the celebrated Fulke Greville, she granted the charter to the London East-India Company, the terms of which have been mentioned; leaving thus to her country an example, that the grant of the charter was founded on a previous and full examination of the facts and circumstances, which induced her to accede to the wishes of the Association which had solicited her protection.

The queen, also, anxious for the encouragement of the commerce and navigation of her subjects, and, at the same time, willing to confer her protection on that portion of them who had advanced their property, and were about to adventure their lives, in the undertaking, granted them exclusive privileges of trade for fifteen years, that she might have opportunities to ascertain, by experience, whether the plan would tend to the benefit or advantage of the realm. Hence the rise of the distinction between the Chartered Rights of the Company, and their Exclusive Privileges of trade; the one making the Company a corporation, with succession, the other conferring a temporary privilege, which the crown was to continue or not, after a limited term, according as the measure might be found advantageous, or not, to the kingdom.

The result of this wise policy was not known when queen Elizabeth died: and her successor, James 1, had scarcely assumed the reigns of government, when his narrow resources induced him to grant licences to Michelbourn and others, to try experiments in the East India trade, in direct opposition to the existing privileges of the London Company, which he professed to support; but the experience of a few years convinced the king, that the innovation was dangerous, as (putting the losses and sufferings of the London Company out of view, either of the few factories which had as yet been formed, or of their ships and property) it threatened the very existence of the direct trade between England and the East-Indies; and therefore, in 1609, the king renewed the charter of queen Elizabeth, with more ample powers for acquiring new factories and possessions, and granted them the exclusive privileges of trade to the East-Indies "for ever;" with the same reservation, however, as in their first charter, "that should this trade not be found profitable to the kingdom, it was to cease and determine after three years notice."

The effect of this charter was to produce additional subscriptions from the adventurers, and larger equipments, which excited the jealousies of the Dutch, who, by this time, were subverting the Spanish-Portuguese power, and establishing their monopoly of the finer spices in the Banda and Molucca islands, and at Ceylon; which led to those massacres at Amboyna, &c. which had nearly overset all the rights that the London Company had either purchased or acquired; and it is memorable, that this charter of 1609 was granted in the same year that the truce of Antwerp was obtained by the Dutch, which indirectly recognised their independence; and that the massacre at Amboyna took place nearly at the expiration of this truce, when the independence of the States General was recognised and established.

It is painful to look at the difficulties which the London Company had to meet, during the reign of the unfortunate Charles 1; though it is only a simple reference to facts to mention, that, during this period, the Dutch power became predominant in the East-Indies, and that the king, from his want of resources, granted licences to his own subjects (Courten and others) to make encroachments on the Company's trade, and to form rival factories, at stations where it was supposed the Company had not established seats of trade. This association, from not being under any regular direction at home, had nearly overset the connection between England and the few seats of trade which the London Company had acquired; and, indeed, endangered their factories, from the then powerful empire of the Moguls, which embraced almost the whole of the coasts of the peninsula of India, while the consequences were, that these adventurers themselves experienced the calamities, which they had previously brought on the Company's trade and servants; and hence from temptations to return with some proportion of gain, they mingled their trade with piracy.

Amid the domestic calamities which overset the monarchy, the Usurper was fully aware of the importance of extending the navigation and commerce of the realm; but, having been raised to power by the prevailing disposition to innovation, he, at length, listened to the speculations for an open trade to the East-Indies: yet, after an experiment of three years, he and his council of state, after a full examination of the London Company's governor and committees, and of the merchant adventurers, decided, that the direct trade to the East Indies could only be preserved to the realm by restoring their rights and exclusive privileges to the London East-India Company.

After the Restoration, while advantage was taken of the experience acquired by the extension of the navigation and commerce of the kingdom, during the interregnum, the rights of the East India Company were fully restored to them, and the attempt of forming a government and trade at Bombay (to take possession of which, as a settlement of the crown, ceded by Portugal, as part of the dowry of the queen, the earl of Marlborough, and sir Abraham Shipman were sent out with a naval and military armament) terminated in the king transferring the island, such as it then was, to the London Company, to be held, not as a sovereignty, but as a freehold property, for a quit-rent payable to the crown.

The king also subsequently granted to the Company, by charter, in 1664, the island of St. Helena, in a similar manner: so that now the Company not only had two possessions equivalent to freeholds (Bombay and St. Helena) granted to them by the crown, but by five successive charters of Charles 2, a confirmation of their rights to those settlements which they had purchased and acquired in the peninsula of India; and a right to embody and govern by martial law, the guards of their factories;—and, by a charter of king James 2, in 1686, they were allowed to coin any species of money usually current in India.

The change of government, in 1688, produced two new events; one on the revenue of the kingdom, and the other on the trade to the East Indies. The revenues, which hitherto had been narrow, and not equal to maintain either the alliances, or the armies and fleets required to resist the general monarchy projected by Louis 14, called for loans, to meet the permanent interest of which, taxes were imposed; and thus was created what has, since that period, been termed the National Debt. The other change was, that as those loans could only be drawn from an enlargement of trade and navigation (for the plan of forming a bank by the landed interest failed), demands were made on the mercantile interest, in general, and on the East-India Company, in particular, for a proportion of those loans.

The Company offered 700,000*l.*, at three per cent.; but this sum not being equal to the wants of the state, a new association of merchants offered two millions, at eight per cent., which was accepted. The General Society was accordingly formed, which was to proceed on the plan of each stockholder being entitled to trade, separately, according to the amount of his subscription. This project was only a cover to the scheme of subverting the London Company; and what is memorable is, that it was conducted by their old servants, many of whom had returned to Europe, under feelings of disappointed ambition. In two days, however, after its establishment, the General Society applied for, and obtained a charter, constituting them a new East India Company, distinguished from the London Company, by having their charter founded on an act of parliament, while the London Company had, hitherto, rested on grants from the crown only. Experience, however, and a knowledge of the natives, favoured the old, and obstructed the new Company;

while a conviction, in the sovereign, and the result of experiments abroad, led the king to recommend an union of those rival Companies, the basis of which was settled, during his reign, and effected by the award of lord Godolphin, early in the reign of queen Anne, which formed the existing "United Company of Merchants of England trading to the East Indies."

From the union of the two Companies in 1707-8, to the peace of Aix-la-Chapelle, in 1748, the chartered rights of the United Company were successively recognized and extended, by a series of acts of parliament during the reigns of queen Anne, George 1, and George 2; for by the Act 10th queen Anne (1713), it was enacted, that the exclusive privileges of trade to the East Indies should be continued to the Company, till three years after the 25th March 1733; and by an Act, 3rd George 2, (1730), it was declared, that the Company should continue a body corporate, with perpetual succession, with a right to trade to the East Indies, in their corporate capacity, notwithstanding the redemption of their capital stock, and the determination of their exclusive privileges; which exclusive privileges were, by this Act, farther renewed to the Company for thirty-three years, or till three years after the 25th March 1766.

This Act was farther confirmed by the 17th George 2, (1744), when the Company's exclusive privileges were extended for fourteen years longer, or to three years after 1780; they thus had their exclusive privileges uninterruptedly continued to them for fifty years, or from the 25th March 1733, to the 25th March 1783.

Several important events occurred, in the long period from the union of the two Companies, to the peace of Aix-la-Chapelle, which gave a new character to the situation of the United Company's possessions and trade, both in England and in the East Indies.

The French power and trade, in India, were rapidly increasing on the Coromandel coast, while the events in the peninsula of India, from the fall of the Mogul and Mahratta empires, and from the death of the Nizam-ul-Muluk, led to the rise of lesser independent states, founded by military adventurers, who were considered, in England, as native princes. These events not only changed the relative situation of the Company with their foreign stations and trade, but began to hold out temptations to the rival European companies, particularly the French company, to acquire territory in India, and to expel the English from their factories and trade. Hence the maritime powers in Europe were forming stipulations, in treaties, suited to preserve the interests of their respective companies, at a time when the political anarchy in Hindostan was not understood in Europe:—the rights of the Company, therefore, were considered to be important subjects of public interest, and their exclusive privileges of trade, the necessary means of enabling them to hold out against the encroachments of their European rivals.

The rights which the Company had acquired, by their former charters, to their factories or possessions, were continued to them, from 1748 to 1763, and were extended and explained by successive grants, during this period, viz. to erect courts of judicature, to make distributions of prize-money, &c. The Company's factories, during this eventful period, which, hitherto, had been protected by small guards, were turned into military stations, and distinct armies formed, whose conquests on the Coromandel coast, under general Lawrence and colonel Ford, and, in Bengal, under the great lord Clive, acquired what has, since that period, been termed "British India." Though the Company were assisted in making these conquests, by a small proportion of the King's forces (Adlercron's and Draper's regiments), yet those regiments were disbanded in India at the peace, and many of the officers and men embodied with the Company's troops.

The situation of the East India Company's affairs, from 1763 to 1784, from the magnitude of their territorial acquisitions, soon after the peace of 1763, became subjects of parliamentary enquiry and report. Exclusive privileges of trade had been previously granted to them, by the Act 1744, up to March 25th 1783; but as an opinion prevailed, on the one hand, that the public were entitled to a proportion of the revenues of the conquered provinces, and the Company, on the other hand, considered them as acquisitions which their armies, aided by the King's fleets, had obtained, it was agreed by the Act, 7th George 3, (1767), that the Company should pay 400,000*l*. per annum, for two years, to the public, that they might be enabled to consolidate the government of the territories which their armies had acquired. In 1769, a similar agreement was made by the Act, 9th

George 3, by which the territorial acquisitions were to remain with the Company, for a farther term of five years, on paying to the public the sum of 400,000*l.* per annum.

In 1773,* however, the Company, being under considerable pecuniary difficulties, were obliged to apply to parliament for a loan of 1,400,000*l.*; and it was agreed, by the Act, 13th George 3, that the public should forego their claim to any participation in the territorial revenues till such time as this loan should be repaid and the bond debt of the Company reduced to a specified sum.

The Company, in 1779, having fully repaid this loan, and reduced their bond debt to the specified sum, it was agreed, by the Act, 19th George 3, that the territorial acquisitions should be continued to them for one year longer, or till the 5th of April 1780, without paying any compensation to the public; and in this Act, the clause, "saving the rights of the crown, and of the Company," was first introduced. Previously to the expiration of this last Act, it was deemed expedient to continue the territorial acquisitions in the possession of the Company, for one year longer, or to the 5th April 1781, which was accordingly enacted by the Act, 20th George 3, (1780); but no compensation was paid by the Company to the public for the same.

The Company's exclusive privileges of trade, granted under the Act 1744, being, at this time, nearly expired, they petitioned parliament for a renewal thereof; and having agreed to pay to the public the sum of 400,000*l.* in discharge of all claims in respect of the territorial acquisitions, up to the 1st of March 1781, it was enacted, by the Act 21st George 3, (1781,) that the exclusive privileges of trade should be renewed to the Company, till March 1st 1794, and that the territorial acquisitions should remain with them during the same period, without making any additional payments to the public for them. In this Act, the clause is again introduced, "that nothing therein contained should extend to prejudice or affect the rights or claims of the public, or of the Company, respecting the said territorial acquisitions or revenues."

An important change, however, was introduced in 1784, and which has been continued to the present time, in the administration of the Company's domestic and foreign affairs; or allowing the administration, as well as the trade, to continue with the courts of directors and proprietors, but constituting a board of commissioners for the affairs of India, with powers to superintend their political, financial, and military operations, and leaving the management of their commerce to the directors, as the representatives of that body, whose property, or stock, under its various amounts, had created, preserved, and brought the East India trade to its existing magnitude and importance.

The interests of the East India Company, domestic and foreign, from 1784 to the present time, as far as regarded the mixed administration of their affairs, at home, by the court of directors, and by the board of commissioners, remained nearly in the same situation, till the passing of the Act, 1793, which, like the preceding Act, waved the question of the respective rights or claims of the public, and of the Company, to the territorial acquisitions, and revenues, yet left them in possession of the Company. It is memorable, on this occasion, that the exclusive privileges of the Company, and the claims of those who wished to participate in the trade, were fully examined, before the resolutions were formed, on which the Act was to proceed:—the claims from the proprietors of mines in Cornwall, from Exeter, from Manchester, &c. were sent by the president of the board, to the chairman, and explanations received from the committee of correspondence:—the resolutions were then sent to the directors, and communicated to the court of proprietors, and then finally returned to ministers, and by them, brought forward, as the basis of the act of parliament.

Several events had occurred in India, which required that a considerable proportion of his Majesty's military forces should be stationed, permanently, in the East Indies.—The restoration of the French settlements, at the peace of 1783, had again given an opportunity to that restless government, to attempt, during the war which followed in Europe, to excite commotions among the native chiefs, that menaced the safety of the provinces which the Company had acquired, at the peace of 1763; and though it is unnecessary to describe events which live in every man's recollection, it is impossible not to refer to the able policy of the venerable Mr. Hastings, and of lord Cornwallis, and to the energy and wisdom of the marquis Wellesley, which tended to confirm the English provinces in their allegiance, to expel the French, and to establish the paramount power of Britain in the peninsula of India.

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* A full account of the several proceedings in parliament, in 1773, relating to the affairs of the East India Company, will be found in the 17th Volume of the new Parliamentary History of England.

In the course of the wars, during this period, which were supported chiefly by the resources of the Company, conquests were made jointly by their armies, and by the King's troops. A political change, however, took place in the countries within the Company's limits; for the Cape of Good Hope, Ceylon, the French islands, and recently the Dutch islands, have been placed under the crown, while the trade to them has been, in a great measure conducted by the Company.

From the whole of these events and facts, regarding the charters granted to the London and to the English Company, and the charter to the United Company, extended and explained by a series of acts of parliament, it follows, that the " permanent rights of the Company are, to be a body corporate, with succession; to purchase and alienate lands in Britain; to form settlements, build forts, appoint governors, coin money in India, erect courts of judicature, and raise and maintain forces in India; and to trade to the East Indies on a joint stock, though their exclusive privileges of trade should cease and determine;" and their exclusive privileges of trade were, by the Act 1793, so far accommodated to the demands of the private merchants, as to afford them a proportion of tonnage for their imports and exports, in the Company's fleets, without incurring the risks of illicit trade to foreign countries, or of smuggling, by making the exports and imports subject to the regulations at the India House, and to the governments of the Company abroad.

The question, therefore, that is now to be decided is,—whether the Permanent Rights of the Company can be taken from them; and if this can be done, whether they have not a legal and equitable right to reimbursement for the immense sums which the acquisition of them has cost, for more than two centuries?

Mr. Bruce next requested the attention of the Committee to the experience of more than 200 years, during which the commerce of Great Britain with the East Indies, has been preserved to the realm, under exclusive privileges of trade, notwithstanding a succession of attempts at partial changes.

On this subject he observed, that it would be proper to advert to the circumstances, that the exclusive privileges were originally conferred on the Company, to enable the adventurers to obtain a fair return for the capital which they had embarked, for establishing a direct trade between England and the East Indies; next to enable the Company to enter into a competition with foreign companies, and to draw the balance of the East India trade in favour of Britain; and, lastly, to enable them, through their trade, to realize, for the public, the commercial advantages and revenues which were connected with the territorial possessions.

The first infringement made on the Company's exclusive privileges, was the licences granted to Michelbourn and others, by king James 1, and to the associations of Courten, &c. during the reign of Charles 1, which terminated in successive losses to the Company's trade and factories, in the exposure of many of their servants to imprisonment and death, in the ruin of the licensed individuals and associations, and in the introduction of piracy in the Indian seas.

A second infringement on the Company's exclusive privileges took place during the Usurpation, by the merchant adventurers, who were allowed to fit out large equipments. By the interferences of those merchants, they not only overstocked the Eastern markets with European commodities, and lowered the prices of them, but raised the prices of Indian produce, and brought goods of inferior quality into the European markets; and this, notwithstanding the strong hand with which the Protector over-ruled the Dutch, obliged him, and his council of state, to recognize the principle of preserving the trade of the East to the kingdom, by restoring to the East India Company their exclusive privileges.

An indirect attempt on the Company's exclusive privileges took place in 1679-80, by private English merchants fitting out ships at Cadiz, for trade to the East Indies. The crews of these interloping vessels, (as they were then denominated,) frequently became pirates, which exposed the Company's factories to heavy losses, and their servants to great danger, from their persons and property being seized to make good the losses of the natives: hence this project, also, was laid aside.

Another infringement on the Company's exclusive privileges, took place during the reign of king William, who, from being partial to the Dutch establishment of several companies, formed the English East India company, in the manner which has been described, with the object of creating a competition in trade, between the two Companies; but the experience of a very few years satisfied this wise sovereign, that by such competition, the East India trade and factories might be lost, and induced him to recommend an union, which (as has been observed) was effected in the reign of queen Anne.

The next infringement, in point of time, on the Company's exclusive privileges, was indirect, arising from foreigners, combined with the speculations of English and Dutch smugglers.

After the port of Ostend was declared a free port, in 1714, Dutch and English ships were cleared out, on Dutch and English capitals, and opened a trade, under the imperial flag, with the East Indies, to the detriment of the British trade and revenue; the evils from which, formed the subject of remonstrances to the court of Vienna, and of successive acts of parliament to prevent smuggling of Indian produce into England.

Another infringement on the Company's trade, arose from the circumstance of the Danes having factories in the peninsula of India; and so far their trade was not an infringement of the exclusive privileges of the Company; but this suggested the project of fitting out ships at Copenhagen, on British capital, and obtaining returns, not from the sales of the cargoes only, but by Respondentia Bonds, for money advanced by British subjects in India, bearing a high interest, and payable nine months after the arrival of the ships at Copenhagen; a project which diminished the British re-exports to the North, and produced a considerable smuggling of Indian goods into Britain.

The last infringement on the Company's exclusive privileges has arisen from the French Revolution, which has involved this country in war for more than twenty years, during which period, the Americans have interfered in the India and China trade, as neutrals, without being exposed to the charges of maintaining settlements, and have been allowed the advantages of this trade, in the vain hope that it might prevent their co-operation with France, in its revolutionary wars; and it is certainly a hard circumstance, that the policy of the state should allow such an indulgence to our now enemy, and harder still, that their success, as neutrals, under this indulgence, should be founded on by the petitioners against the Company, as a reason for divesting them of their privileges; though, in the exercise of those privileges, the Company have acquired the Indian empire, and preserved to the kingdom almost the exclusive trade to the East Indies.

Mr. Bruce stated, that his third object was, an enumeration of what appeared to him to be the losses and dangers in India, and to the China trade, which a deviation from the existing system of Indian affairs might produce.

The losses in India, he explained, might be considered, both as commercial and political.

The first commercial loss might be, that the regular annual demand of the Company would be diminished, and the provision of investments would no longer be an encouragement to the cultivators and manufacturers of Indian produce. This danger was best illustrated by a reference to former revolutions in India. After the fall of the court of Delhi, there remained no seat of luxury and magnificence for the consumption of the finer productions of the East; and it was the event of the establishment of the Company's power, that revived this demand for the produce and manufactures of India:—the encouragement given by the Company's governments and servants to the natives, has placed them in a state of safety and prosperity, unknown under the arbitrary governments to which they had been subjected; and, at the same time, prevented the irregular and dangerous interference of European adventurers with their superstitions and usages, who, without such controul as has been kept over them by the Company's servants, might have produced an anarchy leading to the loss of an empire, founded, as Mr. Hastings termed it, "on the breath of opinion."

A second commercial loss might be, the depriving the natives of that pecuniary assistance which they, at present, receive, by advances of money from the Company's governments.

It is this advance of money to the native cultivator, manufacturer, and merchant, that enables them to provide articles to be ready at the season of export, and thus affords a regular supply for the British and European markets;—this no private merchant could attempt, because, whether his capital be equal to such an undertaking or not, is not the question; for the natives, from habit, have a confidence in the Company's servants, which they cannot be supposed to place in strangers, as the private merchants would be, notwithstanding any regulation which the wisdom of government might devise.

A third commercial loss might be, the interruption of the circuitous commerce of the Company in the countries within their limits, which consists of a country trade, under regulations by government, which are fully understood. This arrangement enables the Company, though with frequent losses, or inconsiderable profit on particular articles, not only to supply the several parts of the peninsula, but also to furnish to China, proportions of bullion and Indian articles, which have progressively lessened the demand for bullion from Europe, which that country, for many years, would alone take, and which foreigners, particularly the Americans, are obliged to pay.

The last commercial loss might be, the interruption, if not the total ruin of the China trade. The idea of opening the trade to India, but not to China, must have arisen with those only, who did not advert either to the existing relations between the Indian and the China markets, or to the peculiar and impracticable character of the Chinese government. If the trade should be opened to India, and the exclusive trade to China be proposed to be continued with the Company, the scheme would be found unwise, if not impracticable; both because the strictest regulations have been established by the directors, and the Company's foreign governments, to prevent irregularities in the country ships which proceed from India to China; and though these regulations have, in general, been effectual, yet the Company's supracargoes at Canton have been exposed to serious disputes with that singular government, in consequence of occasional irregularities. It will be recollected, that the Chinese have established a company, of what are termed Hong, or Security Merchants, who are responsible to the government, and that the least irregularity requires the person committing it to be seized and punished; or if he cannot be found, the punishment is inflicted on some other British subject. It is, therefore, the high character of the Company's servants, for regularity in their conduct and dealings, while they remain at Canton, that has alone preserved the trade, and no regulations that could be established in Britain, would be attended to by the Chinese government: hence this most valuable branch of the Company's trade would be endangered, if not lost. If the free traders should be allowed to pass the Straits of Malacca and Sunda, and to enter the Chinese seas, they not only would have opportunities of smuggling opium into China (which is prohibited by the Chinese government), but could obtain China produce, though of interior quality, from the junks, and find places of deposit for them, both in the Spice Islands (the Moluccas and Bandas) and at the other Malay Islands, (Borneo, Celebes, &c.) where, as in former times, there might be a probability of piracy, which would break the connection established between the Company and the port of Canton, and bring disgrace on the British character.

If these commercial losses are probable, the political losses are equally to be apprehended.

In the first place, it would be impossible to preserve the allegiance of the natives, in the British Indian provinces, to any form of government, but that which they have been accustomed to consider as engrafted on the Mogul, or native establishments; and though the Company can act as feudatories of the native governments, it would be a difficult circumstance, indeed, to find any new body, subordinate to the crown, in England, in which this feudatory character could be vested, on the extinction of the East-India Company; and, therefore, though in theory, regulations might be framed for this purpose, the attempt to carry them into practice, by force, would produce that anarchy, which might terminate in the loss of the British possessions.

The introduction, in the next place, under any regulations, of adventurers not under controul, would necessarily produce colonization. If the plan be to allow an entrance to the European traders to the principal seats of government only, the impossibility of preventing the entrance of individuals into the interior is obvious, and the consequences have been fully established, by the evidence before the House and the Committee.

The greatest, and perhaps the most obvious political loss, in the third place, would be, that of dismembering the civil and commercial relations by which the British possessions are, at present, maintained, and of alienating the attachments and allegiance of the native military force, by which their territories have been acquired and are still preserved. The fullest evidence has been obtained of the character of the natives, the simplicity of their habits, and their attachment to their usages; and it has been an uniform instruction to the civil and military servants of the Company, on no occasion to offend against them. Whether the prejudices and the usages of the natives, or indeed of any other people, accord with European, or rather British, notions of propriety, is not the question; for among every people, and in every age, prejudices and usages have been found an over-match for reason, and frequently for morality.

The last political loss would be, what is obvious at home; the loss of an auxiliary marine, which, in the hour of danger, has, on so many occasions, been an important addition to our navy, and contributed to our national safety; the loss of establishments, formed at the expence of many millions, for creating and preserving this marine; and the loss of a revenue (amounting, at this time, to about 4,500,000*l.*) from the Company's trade, collected with facility, and with moderate charges: and it is yet to be ascertained, what compensation more than one hundred thousand people must receive, who are either directly employed under the Company, or indirectly supported by the exports they send to India and to China, and by the sale of the imports they bring from both countries; without saying any thing farther, than by a reference to the capital stock of the East-India Company, amounting to the sum of twelve millions sterling, and subscribed for, in the year 1793, on a reliance on the continuance of the Company's government and trade.

Mr. Bruce next requested the attention of the Committee, to a few remarks on the sources of the applications for an open trade; on the proposed Resolutions, printed by order of the House, on the 22d March 1813; and on the evidence subsequently laid before the House, by the Company.

The first source of these applications, as far as can be ascertained from facts, was a supposed increase of tonnage, exports, and imports. It has been assumed as a fact, but without either estimate or evidence to support it, that the open trade to India, and subsequently to China, would rapidly tend to increase the tonnage to an indefinite extent. It has not, however, been even attempted to be shewn, either by estimate or evidence, that the ships of the private merchants, of 350 tons, from the river Thames, and much less the ships from the out-ports, would equal the known tonnage of the Company. That they would do so, is mere assertion, and assertion by classes of petitioners, many of them inland, and none of them presuming on any thing, but that the free trade would extend their shipping to an immense amount. It has not, in the same manner, been attempted to be shewn, either by estimate or otherwise, what the amount of the exports would be; for not a single new article has been specified as intended to be exported. In like manner, it has been asserted, that there would be a great increase of the imports of Indian produce: but if Indian manufactures could be brought home, and sold in fair competition with our home manufactures, the free merchant and manufacturer would probably be soon as much at variance with each other, as they are now united against the East-India Company.

Another source of these applications is, the general right of all British subjects to trade to all countries, subject to the British power, or connected, by the relations of amity, with Britain.

Had the territorial possessions of the Company been, like our ancient North American colonies, formed and maintained for centuries, by the British government, and defended by the British arms, the general right of British subjects to trade to them would be undeniable; but the Indian possessions do not come under this description, for the ancient factories of the Company were purchased, or acquired, by cessions from the native powers, for valuable considerations. It is little more than half a century since the Indian possessions were conquered by the Company's arms, and administered on the basis of the native governments, of which they were the professed subordinates: and can an equal right be asserted by those, who have had no share in embarking either their property in acquiring such a territory, or risking their lives in preserving it, as by those who have actually acquired and preserved our Indian dominions?

On the proposed Resolutions, Mr. Bruce

observed, that he must confine himself entirely to those which were laid before the House, on the 22d March, the alterations, or additions to which, he had only been possessed of for a few hours; and then stated, that though the first Resolution proposed to continue the Company's privileges, the exceptions to it, in the subsequent Resolution, so weakened those privileges, as to render the exercise of them impracticable. Is it to be understood by "the continuance of their existing privileges," that the Company's right of property to their ancient seats of trade, is to be admitted, and their claims to the territorial acquisitions waived, as in former Acts, and that the exceptions in the subsequent Resolutions, referred to the trade only?

2. That though the exclusive trade in tea is, by the second Resolution, to remain with the Company, the other China exports (nankeens, raw-silks, &c.) are not specified. If the open traders are to be allowed to pass the Straits of Malacca to the Spice Islands, &c. they might then interfere, as has been stated, with the China trade, and thus not only all kinds of China exports, but even tea, by illicit connections, between the eastern islands and the coasts of China, might become part of their homeward assortments, and thus most materially diminish the Company's sales, for home consumption, and the re-export of that valuable article; and it is remarkable, that no provision is made, in any of the Resolutions, for the same open sales and public competition at the outports, which have been carried on, with so much benefit to the public, by the East India Company; nor is it specified, whether the usual exports from England to China, and from India to China, are to be, as at this time, exclusively carried on by the Company, or not. Can any security be given, that the open traders, if they are allowed to enter the China seas, will not purchase Banca tin, at a cheaper rate than they can carry out the tin of Cornwall? Is it to be a provision, that they are to export Devonshire long ells, even at a loss; or is that export to be given up? and is there any security, that the open traders will return to Britain, and not go to North America, Spanish America, or even to ports in Europe, where they may sell both ship and cargo?

3. That the exception, in the third Resolution, which lays open the trade to India to such ports as have warehouses, wet-docks, or basins, or may volunteer the building of them, certainly renders the imports of the Company, from India, less, by the proportion or quantity which the open traders may import to the out-ports; and if the capital stock of the Company is proposed to be employed in this trade, it will make the returns inadequate to pay even the existing dividend on it.

4. That the Appropriations of the Territorial Revenues in India, by the fourth Resolution, (viz. to the payment of the civil and military establishments in India, and interest on the Indian debt) can leave but a small surplus, either for investment, or for remittances to China. Is it intended that the Company are to keep up their commercial establishments in India, when the commerce is to be divided between them and the open traders? If so, the proportion of trade which they are to carry on in India, and the China trade, would be liable to the same charges, as at this time; though the whole now yields to the proprietors little more than the legal interest of money in England.

5. That the Appropriations of the Commercial Profits in England, by the fifth and sixth Resolutions (viz. to the payment of bills of exchange, debts, interest, commercial charges, dividend of ten and a half per cent. on the capital stock, and reduction of the Indian debt, and Bond debt in England) seem to be utterly impracticable. It cannot be expected, that the Company can pay even their commercial charges in England, amounting to above 190,000*l.* per annum, (including 22,000*l.* per annum to the Commissioners for the Affairs of India) and the dividend of ten and a half per cent. on their stock, from the crippled trade to India, and from the profits on tea only, to say nothing of the other extensive appropriations; nor can government suppose, that the India proprietors will feel their stock to be safe, if it is to be employed in a commerce so narrowed and so burdened; for, if they do so, an ultimate, if not an immediate bankruptcy must be the result.

6. That by the eighth Resolution, the Company are to be farther limited from granting pensions and gratuities to meritorious and deserving officers, though this is the only mode they have left to them, of rewarding long and approved services. It need not be mentioned, that the Company have no honours to confer, but only such rewards as they may consider eminent services may merit; and if divested of this power, their servants would be

left, in many instances, friendless, or perhaps, in distress. If a provision of this description had formerly existed, the venerable Mr. Hastings, to whom may be ascribed the preservation of the conquests of lord Clive, and who gave so impressive a proof at the bar, of talents and services, could not, in his own elegant language, "have received that bounty from the Company, from which he now derived his subsistence."

7. By the Act of 1793, the appointment of governors and commanders-in-chief was left with the Company, as well as an express power of recall; but, by the ninth Resolution (March 22, 1813), though the appointment, nominally, is to remain with the Company, yet the King's approbation is to be given under the sign manual, countersigned by the president of the Board of Commissioners; and it is not specified, that any power of recall, in case of mismanagement, is to be left to the Company: so that, in fact, a *congé d'elire* is to be issued to the Company to appoint, provided the King and the president approve; but without leaving to the Company the selection of those persons who, from long and faithful services, might be presumed to be best qualified to fill those situations; or the power of recalling those, who, in fact, were to be appointed independently of their choice, and whom they might find inadequate to the discharge of the first and most important duties.

On the subject of the evidence laid before the House, Mr. Bruce observed, that though he had attended the examination of the witnesses, both in the House, and in the Committee, every day, he considered it to be impracticable to form a just opinion of the subject, till the whole of the evidence had been completed; nor did he conceive, that even the great lord chancellor Bacon would have undertaken to examine and decide on a body of evidence, consisting of nearly 600 folio pages, in a few hours: all, therefore, that an individual, like himself, could attempt, was to state the following general facts, which appeared to be established by this great body of evidence. That the administration of the British Indian provinces, had, hitherto, proceeded on a system engrafted on the ancient native governments; and from the fixed character of the natives, had preserved the allegiance of our Indian subjects, and yielded a large and permanent revenue.

That the regulations, which have hitherto been adopted, by the Company, had prevented the indiscriminate intercourse or interference of British subjects, or of Europeans, in general, with the prejudices of the natives, in favour of their ancient opinions, usages, and manners.

That, from the fixed character of the natives, particularly the Hindoos, the produce and manufactures of India have been found equal to their wants and their desires; and that the climate, and their habits, afforded no prospect of an increase of demand for British goods; particularly when it has appeared, that British artists have settled at the different presidencies, and employed native workmen, who can furnish the same articles at a cheaper rate than they can be imported from Britain; and, in fact, that British goods are chiefly, if not exclusively, purchased by the European inhabitants.

That the export trade from Great Britain had not only been equal to the demands in India, but in general, so far above them, that, in many cases, the Company, and their naval officers, who carried out their little investments, freight free, and the Indian agents, were often obliged to sell the goods at and below prime cost.

That the imports from India had, hitherto, notwithstanding all the heavy duties imposed on them, been equal, not only to the home consumption, but to the demands for re-exportation, though this branch of the trade, for reasons of state, had been materially injured by the neutrality allowed to the American traders.

That the smuggling of cargoes, by the Company, on the evidence of the first revenue officers, was impracticable, as there existed no temptation to make the attempt; that smuggling had been farther prevented, by the trade being carried on in large ships, with the safeguards of the East India docks and warehouses; and that, from the lists of seizures, the smuggling had been chiefly detected in smaller articles, seized from the crews and passengers.

That the vessels from the out-ports, of 350 tons, either in the outward or homeward voyages, would have greater facility in defrauding the revenue, by going to foreign ports to dispose of their cargoes, to the prejudice of the re-export trade, or by smuggling, in innumerable ways, into Great Britain and Ireland.

That, from the positive evidence of the revenue officers of customs and excise, the smuggling of Indian and China produce will increase, by dividing the trade between the river Thames and the out-ports, at which the revenue cannot be so efficiently collected, as at the sales of the East India Company.

Mr. Bruce concluded his observations, by asking, whether it would be wise, in the present convulsed state of Europe, and of the world, and in the actual state of the British resources and revenues, to interfere with such an old establishment as that of the East India Company; if so, it was surely contrary to the practice of a nation, distinguished for resting all its institutions on experience, leading to improvements, not on theories in politics, or speculations in trade. The last 20 years, he observed, had shewn enough of theory and speculation, by the events which had desolated Europe; and it would be a most cruel event, indeed, while the insidious interferences of foreigners have been unable to shake the foundations of our government, or of the institutions subordinate to it, if our own innovations should weaken the one, or destroy the other.

Supposing, however, that these evil forebodings should be realised, and that the Company should be dissolved, and their trade annihilated, the justice of the British government will surely grant a full indemnity to the East-India Company, whose enterprise, conquests, and administration, have acquired and preserved the Indian empire; and to the proprietors of the shipping and establishments which have been formed, at the expence of many millions, under the conviction of the stability of the Company, and of the navigation of its ships and trade being confined to the river Thames. It would, to himself, be a melancholy reflection indeed, to have lived to see one political and financial error lose to the country its American colonies, and to be convinced, that the proposed Resolutions, if passed into a law, in opposition to a most full and complete body of evidence, would, in a short time, probably lose its Indian empire to Great Britain.

Mr. *Charles Grant*, jun. rose and said: Sir; in every discussion which relates to a change in our mode of governing India, the first enquiry that naturally suggests itself is, what is the condition of the people of that country under the existing system. On this point I conceive there will not be a dissentient voice. It is acknowledged on all sides that they are in a flourishing condition, not only as compared with their former situation under the despotism of their own princes, but as compared with any known standard in any quarter of the world. It is acknowledged too that they are not only happy, but in a progressive state of happiness. If, then, the prosperity of the people is to form the basis of every arrangement for the government of India, a practical statesman will surely pause before he consents to endanger a system which has so completely answered that object. It has however been maintained that this effect is to be attributed not to the East India Company, but to the influence of the British government. It is said that the year 1784, the period at which the government at home assumed the superintendance of India, is also the period from which the prosperity of India must be dated. That æra is established as forming a grand line of distinction as to the condition of our native subjects, previous and subsequent. Now, admitting that there was so radical a change in the year 1784; admitting that it is only since that time that the condition of the natives has been improved; still the conclusion deduced from this admission, that the system ought to be destroyed, does not follow. If certain results are produced by the operation of a complex system, does it necessarily follow that if any part of that system be removed, the same results will continue to be produced? Besides, the beneficial effect on an extensive scale of a whole system, is a strong presumption in favour of the harmlessness at least, if not of the efficacy of all its parts. If the state of India under the united management of the government and of the Company be so flourishing, it proves at least that there is nothing so radically vicious, so insuperably corrupt and pernicious in the East India Company as we are taught to believe; since its existence is consistent with the diffusion of so much happiness,—not only consistent, but since it is itself actually the instrument in communicating these blessings, from whatever quarter we may suppose them to originate.

But it is, in my humble judgment, erroneous to represent the year 1784 as forming so broad a line of demarcation; as if then an entire new order of things had arisen; as if the principles of government applied by the Act of 1784 to India, had never till that time entered into the administration of that country. Sir, I venture to call this a fallacious representation. The Act of 1784, with all its advantages (and they were many) was not so much the commencement of a new order of things as the consummation of one which was already in progress. The two great measures which followed that Act, I mean the permanent settlement of the revenue, and the establishment of the judicial system, were not the discovery of the government at home—they did not spring out in full growth from the heads of the administration of this country—they were not invented on the spur of the occasion by the unassisted sagacity of the British legislature:—they originated in India. They were the fruit of a series of exertions carried on under the authority of the Court of Directors—they were the slow result of the wisdom and labour of the servants of the Company, and had long been advancing to maturity under their auspices. In the earlier periods of our intercourse indeed with India, no plans of this nature were proposed; no efforts were made to improve the condition of the people, and for this obvious reason, that we had no territory for which we were called to legislate. The English entered that country with no view of conquest; and it would have been absurd indeed to begin legislating for an empire which as yet did not exist even in hope. Even after we were compelled in self-defence to wage war against the native princes, the idea of acquiring political ascendancy was not immediately adopted; and when it was, in a manner, forced upon us, the circumstances of the times did not permit a deliberate application to the great question respecting the best mode of governing India. It was a period of struggle, of suspense and anarchy. But as soon as our dominion acquired some compactness, as soon as the cession of the dewanny in 1765 in addition to our military power gave us also the financial jurisdiction of the provinces, that question became a serious subject of attention. It is remarkable to observe in the records of the Company how steadily, though slowly, every thing tended to bring to light and to recommend those principles which afterwards formed the basis of the measures adopted subsequently to 1784. Even prior to the year 1773—the date of the Regulating Act, (which was the first interference on the part of the legislature in the affairs of India) this progress had commenced. It is especially to be traced since the year 1769, and still more particularly since the year 1771, when the Company stood forth as dewan. But many obstacles were thrown in the way by war, and above all by the severe famine. From 1772 the approaches to the present system were regular and unintermitted,—and the measures afterwards executed were sketched out in the various writings of the servants of the Company. In the written debates between Mr. Hastings and Mr. Francis, particularly, the plan of the settlement of the revenue from land (the main source of revenue in India) is clearly developed. It was fortunate indeed that it was not resolved at an earlier period to carry into effect any permanent arrangement; because such an arrangement could not have failed to be premature. The date upon which it should rest, the principles upon which it ought to proceed, could not in a shorter time have been collected and unfolded. In order to establish any system which might hope to be efficient, much was previously required: it was necessary to exercise laborious enquiry, skilful combination, patience in unravelling, impartiality in concluding; the records of past ages were to be examined; the important questions relating to the property of the sovereign in the soil, the nature of the land tenures, the proportion of the produce allotted to the ryots, and other collateral topics, were to be sifted; the glosses of the natives were to be detected; and in the midst of contending accounts and contradictory representations, the true extent of the productive powers of the country, and the just claims of the various parties interested or professing to be interested, in the soil, were to be ascertained and adjusted. This was the task which devolved upon the East India Company, and never was task more ably accomplished—never were the powers of research, of discrimination, of industry more successfully called into action—never were the elements of legislation, the materials for national happiness, more amply furnished, than by the talents and assiduity of these calumniated servants of the Company. It was after all this had been done to their hands, that the legislature interfered. Let every praise be given, as it ought to be given, to the zealous exertions of the legislature; but the system of 1784 was in its prominent features the work of the East India Company. I believe I am correct in saying that the letter of instructions which accompanied lord Cornwallis to India, was the production of a gentleman who had long been in the service of the Company. They cannot, therefore, be deprived of the merit of having contributed to form that system under which India has now for a succession of years reposed; and they formed it not on narrow, selfish, and temporary principles, but on principles commercial, national, social, imperial; on principles comprehending the whole variety of reciprocal duties, and the whole train of interests remote and immediate—thus they implanted confidence where before all was distrust; fenced round with the guardianship of law, those in whose eyes till then law and arbitrary power had been synonimous terms; and laid the foundations of their dominion deep in the happiness of the low and the prosperity of the poor. It is impossible to advert to the wise measures which have been so favourable to India, without recollecting, and it is a duty not to recollect in silence, how much of their salutary effect they owed to the person who was chosen to carry them into execution. There was a felicity in the selection of lord Cornwallis for that purpose: never was any man more eminently gifted with all those qualities that contribute to form the practical legislator—a deep knowledge of the world, long experience, sound and masculine sense, a political character of unsullied purity, great perseverance, a warm philanthropy, loftiness of spirit united with mildness and simplicity of conduct, a calm and dignified sobriety of mind which under every circumstance of success or misfortune was true to itself, and exempted him from the difficulties that harass and check the march of ordinary men. To these were added a peculiar modesty, and devoted attachment to the duties of his station, and unwearied anxiety for the interests of the people whom he was called to govern.

Sir, I beg to repeat that in the remarks I offer, I do not mean to detract from the just applause due to the government and the legislature of this country,—I do not mean to say that those beneficial results would have been so soon or so effectually secured without the interference of the legislature. On the contrary I believe that such interference was not only expedient but even essential; and that some such superintending authority as that which was vested in the Board of Controul was required, to give consistency and efficiency to the new arrangement. But I contend against the injustice which would describe the Court of Directors as entirely unconcerned in the formation of this arrangement, which would refuse to them even the merit of cordial and useful co-operation in the execution of it, which in short would represent them very little awake to the prosperity of the millions over whom they preside. For my part, Sir, having been for some time an assiduous, though not indeed a disinterested witness of the conduct of some members of that body, I shall, I trust, be forgiven for venturing to express a decided opinion. Of other qualifications it does not become me to speak; but if the question be, respecting patient, laborious, unremitted attention to the interests of the people of India, then I say, and say boldly, that there are those in that court with whose claims no man need be ashamed to have his own compared; and I think it neither fair nor equitable in any man, however exalted may be his rank or character, and however profound may have been his meditations on the subject of India, to trample on the merits of those who have given to that subject hours, where he has given to it minutes.

With respect to the various plans that have been proposed in place of the present mode of conducting our government in the East, it is not necessary now to speak. I shall merely remark that nothing which I have heard or read has been found sufficient to meet one difficulty which startles the most sanguine speculator—I mean the difficulty of safely disposing of the patronage which is now vested in the Court of Directors. That to place it mediately or immediately in the hands of government would be fatal to the constitution, is universally agreed. By what means then can the vast variety of situations connected with the Indian service both at home and abroad be filled? Where can this patronage rest without danger to the constitution? I venture to assert, this problem has not yet been resolved. A plan indeed has recently been proposed by very high authority; but I trust I am not guilty of any unwarrantable freedom, if I take the liberty to say that this plan, however plausible, would, in my opinion, tend only to defeat its own purpose. I think, indeed, Sir, that even at first sight, and before we enter into any details, there is something inadmissible in the idea that there should be so much public patronage afloat in the country, and that no part of it should fall under the controul of government. I do not of course allude to this or to any particular administration, but surely it requires very little attention to the ordinary course of affairs, to see the utter hopelessness of securing these numberless places of trust and emolument from the influence of the administration for the time being, so long as the disposal of these places is not assigned to any definite jurisdiction, but is left at large to the operation only of general rules. But what is the plan itself? It is proposed that the civil offices in India shall be supplied from among the young men who have most distinguished themselves in our great public schools. Now it does seem to me that this proposal would be utterly inadequate to its end. Is the selection to be made only from those who have attained the head of their respective seminaries? This would be the fairest method, and indeed the only fair method. Here there would be a public criterion of merit, which would admit of no misapprehension, and would effectually exclude all improper influence. But it is obvious that this source, even if the principle were applied to all the public schools in the kingdom, would be totally insufficient to provide for all the civil offices in the service. Then the candidates must be sought among those of less distinguished merit, and that too in considerable numbers. By what test are these to be judged? If you once descend below that highest degree of qualification, which forces itself on universal notice, you must resort to other criteria, to the private judgment of the master, in short, to some private instead of a public test. Besides, what are to be the facilities of admission to these schools; by what rules are the vacant appointments to be distributed? Is it not clear that here there is abundant scope for patronage; and that by various methods which it is easy to imagine, this patronage would at length, in a great measure, be wielded by the servants of the crown? With regard to the military appointments in India, it is proposed that they shall be filled up by the sons of officers who have fallen in battle. There is something generous in this suggestion; but there is at least one objection to it, if no other—it would occasion a very great disproportion between the demand and the supply for such appointments. During peace, when the casualties are few, (and it is surprising to observe how few they are in the Indian army) the supply would far exceed the demand. In time of war the opposite inconvenience would be felt; and in the latter case, it would not only be natural for the administration to interfere, but it would be even their duty to fill up the vacancies by their own authority. Neither therefore could the military patronage be completely secured from abuse.

The influence of the crown, however, would not be confined merely to the first appointment to offices, military and civil, which is usually made at home; it would extend also to India, and make itself felt through all the gradations of service in that country. The nomination to those successive promotions rests with the governor general or the commander in chief; and they would not be unwilling to consult the wishes of the administration, on whom probably they depend for the enjoyment of their own dignities. Something of this kind may perhaps be even now observed to occur; but the evil would be infinitely aggravated, if the publicity which now prevails, ceased to exist, and if the checks arising from counteraction of different authorities were entirely removed.

And in what manner would such a state of things affect the natives? The efficacy, the very existence of the present system of the internal administration of India, depends, as I have already hinted, upon its publicity. Every part of it is open to the day. Every man who is engaged in it, acts on an elevated theatre. From the commencement till the close of his career, his qualifications, his merits, his claims to advancement, and the grounds upon which his advancement rests, are matters of general inspection. By the rules of the service a certain period of residence in India is indispensible to the enjoyment of the higher stations. Merit, therefore, is, generally speaking, the cause of success; and Europeans are rarely called to exercise public authority over the natives till they are in some measure fitted for that trust by a familiarity with their manners and prejudices, and by frequent opportunities of studying their character. Thus it is that the natives repose with confidence under the superintendance of men whom they feel to be selected for that duty on account of their capacity to discharge it. Thus too has a system of internal polity been formed, which for purity, for efficiency, for public spirit and virtue, is perhaps without a rival in modern history. But if this system be changed, if the access to high offices depend upon the will of a minister, then all that light and order vanishes at once. The grounds of promotion are found no longer in laborious service, in local knowledge and experience, but in parliamentary influence, in intrigues at home, in court favoritism, or if in merit, at least in merit displayed in other parts of the world, and not very appropriately rewarded by a transfer to new duties in untried scenes of action, amongst a strange and unknown race of beings. The rights and interests of the natives are neglected or misapprehended; their confidence is lost; their happiness sacrificed.

It is true that under any alteration of system, the rules which regulate the service, and particularly those which annex certain rates of salary to certain periods of residence, are intended still to subsist; and may therefore be supposed still to secure the advantages which have been ascribed to them. They may indeed subsist; but how easy will it be to elude their force. We know that in one instance in order to promote an individual to a situation to the established salary of which he was not entitled by a sufficient residence, that salary was reduced, and the deficiency was made good by other means. In the instance alluded to, this was done from the most honourable motives, for it was done by lord Cornwallis; but the precedent may be followed to gratify motives of a very different description. It is easy to conceive various methods, by which a governor general and a minister of this country might contrive to evade the most positive regulations; retaining at the same time those regulations in their code of legislation, and professing to comply with their injunctions. Indeed, Sir, to say the truth, I am inclined to think that if the Company were destroyed, the laws to which I particularly allude would not be long allowed to retain even a nominal existence. But even if this were not the case, their vigour and efficacy might be entirely superseded—the system might be ostensibly preserved, after it had been deprived of its virtues, and crippled in its operations. The machinery might stand; but the spirit which gave it life and motion would be extinguished. The curious fretwork of the grotto might remain, but the stream that filtered through its arches, and gave it freshness and beauty, would have ceased to flow.

There is yet another very serious objection to this plan, an objection which applies intimately to the interests of the British empire; namely, that it cuts off a very large, I might say, much the larger, portion of the community from a wide and most honourable field of exertion. The access to employment in India is forbidden, except to those who have entered early enough in our public schools to rise to the highest class, or to those whose fathers have fallen in battle. But how unfair is this exclusion towards the numbers who do not happen to be placed under these circumstances; or who are unable to qualify themselves by admission into our principal public seminaries. As to the civil service, there are many parents who cannot afford the expence of a regular progress through those seminaries, many who are placed in extreme parts of the kingdom, and are thus prevented. In many instances the choice of this line is not made, and cannot be made till at too late a period to go through this process. In others it is adopted by youths of ability and spirit, after they perceive that in consequence of the superior interest of their competitors at home, or from other reasons, they are precluded from arriving in this country at the eminence to which they feel themselves adequate. Yet in all these cases, and in other similar instances, the qualifications of every kind, the knowledge, the talents, the virtues, may be such as not only to ensure the success of their possessors, but to promote the interests of the empire. As to the military service, we know that it is in a great measure filled by the sons of old families, more distinguished for respectability than wealth. In such circumstances, the Indian army is the most desirable resource that can be conceived. It has all the qualities that belong to the military profession, and therefore accords with the lofty spirit which these ancient families are still proud to cherish. It requires moderate expence; and leads to certain promotion and a handsome provision for life. Now, if this opening be closed to such persons, the military service of their country is closed, for the expence and the uncertainty of ultimate advancement in the King's army effectually preclude that alternative.

I say then, Sir, that the plan which we are now considering, while it professes to proceed upon hostility to all exclusion, involves in itself a system of exclusion the most cruel and unjust. It is itself a monopoly—not indeed of trade,—but of honours, of means of success, of noble daring, of opportunities and inducements to patriotism and virtue. The effects of such a monopoly must be peculiarly injurious to the nation at large. It is the boast of our constitution that all its offices, all its honours are open to the efforts of honourable ambition. Every thing that widens the sphere of talent, every thing that multiplies the incentives to mental and intellectual enterprise, tends to exalt the national character and confirm the national security. And if this plan had been earlier adopted, how many able and distinguished men would have been excluded from those scenes which they have illustrated by their wisdom and their valour. The names of Lawrence, of Clive, and of Coote, and of many others in various departments, would have been unknown. Really, Sir, I hope that parliament will never lend its sanction to such a proposal; will never consent to raise an impassable fence round those lists of glory; nor pronounce so fatal an interdict against the aspirings of youthful genius.

The education of those who are destined to preside over our subjects in that remote territory, is indeed a point of vital importance. To this point accordingly the Company has given its most anxious attention; upon principles and with a success which have, I believe, secured general applause. I have been not a little surprised at an attack which has recently been made in another place upon the East India College at Hertford—an attack, however, which has had the effect of drawing a most satisfactory reply from one of the professors of that institution, Mr. Malthus. I will not now repeat what he has so successfully stated; but shall content myself with referring the House to that able and triumphant refutation.

It has been repeatedly urged that there is something monstrous in the union of the political and commercial functions,—this charge rests upon the authority of a great master in political learning. But it is a little curious to observe, how this charge has shifted its ground since it was first made. Dr. Smith objects to the union, because the political part of the character must suffer. The interests of the Company as merchants will supersede their duty as sovereigns.—His disciples, however, take precisely the reverse. The merit of the Company as sovereigns they admit, and indeed it is too obvious to be denied; but, driven from that post, they now discover that it is the mercantile character which must be injured by the imperial; these public-spirited traders, it seems, and it is a grievous accusation, sacrifice their interests as merchants to their duty as sovereigns. But after all, this charge consists very much in assumption, and perhaps the best answer to it would be, an appeal to the practical result of this anomalous union. It is indeed somewhat singular, that an argument of this kind, proceeding upon theory in opposition to experiment, should find acceptance in a quarter where it has been lately repeated. It is singular that it should be sanctioned by those, whose claims to the regard of their country and to the approbation of posterity, must mainly rest on this circumstance, that at a period of frantic speculation, they adhered to the plain practical excellence of the constitution, in spite of the defects with which it might in theory abound. This argument, however, or rather this assumption, is objectionable in another point of view, as it narrows the range of political science. It pronounces the junction of the sovereign and mercantile capacities to be ruinous. Now the only instance upon record of such a junction is that which is furnished by the East India Company. It seems, therefore, a little like begging the question, to begin with laying down a theory, and then to reason from this theory and pronounce *á priori* upon the only fact to which it can be referred. Such a mixture of functions must upon theory be bad; the system of the East India Company is an example of such a mixture; therefore it is a pernicious system. This is surely a premature conclusion—for this is the very point to be ascertained—political science depends upon an induction of facts. In no case, therefore, can it be allowed to close the series of experiments; and to declare definitively that for the future, no practical results whatever shall affect an established doctrine. Least of all is this allowable, when the doctrine can by possibility refer only to a single fact; and when that single fact is at war with that doctrine. It is for the House upon the present occasion not to try this question by previous rules, but to appreciate the quality of the rule by the merit of the example in its existing shape and relations.

With respect to the boundless increase of our commerce which might result from a free intercourse with India, I am glad that the evidence heard at this bar and before the Committee has nearly dissipated the delusions upon that subject. It seems now to be generally agreed, that there is not much probability of an immediate consumption by the natives to any great extent of British produce and manufactures. Some men, it is true, whose judgment is entitled to respect, seem to maintain a different opinion. When, upon any subject, authorities of equal weight differ from each other, the only way of arriving at any thing like a satisfactory opinion, is to discover, if possible, some point at a higher stage of the question, in which these authorities agree, and, taking our departure from that point, to let reason and common sense draw the conclusion.—Now, Sir, in the present instance, there is such a common ground to be attained. Whatever other topics of difference may prevail, there is one point in which all parties coincide; and that is in the representation of the character and habits of the Hindoos. They are a people, it is universally acknowledged, whose manners and modes of life continue to a remarkable degree the same from age to age. Their wants are few; their diet, their clothing, their cottages, or rather their huts, all are on the same scale of frugality—their climate excites no extravagant desires—their soil demands little culture, all that they require they find among themselves. Every thing contributes to make them stationary; and all these tendencies are rivetted and rendered irresistible by the nature of their religion. Never was there a religion which so mixed itself with all the transactions of life, social, civil, and domestic: it entwines itself with every part of daily conduct; it regulates even the lowest and most trivial actions, and regulates them, not by the invisible energy of a pervading influence, but by arbitrary and specific enactments applicable to the minutest particulars. It perpetuates the existing system of manners and prejudices, by clothing it with the sanction of divine authority, and guards it from the effects of foreign example or persuasion. Like its own favourite emblem, the mysterious serpent, it lulls its votary to rest amidst its voluminous evils; while with fierce eye and lifted crest it forbids the approach of unhallowed intrusion. But there is mortality in the embrace of those folds, they paralize what they envelope, and the sleep which they protect is the sleep of death. It is the property of that religion, or rather of that superstition, to extinguish the powerful principle of sympathy, which makes man, what he has been called, an imitative animal. It allows its subjects to mingle with foreigners, but not to amalgamate with them. It allows them to bend to their wishes and become subservient to their passions; but forbids them to borrow their modes of thinking or acting, or to adopt in any respect the colour of their example. Thus have they been secured from the full effect of those impulses to which other nations have yielded. There is something magnificent in this recollection. Three thousand years have rolled away, and this people are nearly in the same situation as at the commencement of that period. During that time, how many fluctuations have occurred! what revolutions have taken place! How many great nations have been swept from the face of the earth. Their own country has been repeatedly desolated by invading armies. Their oppressors have triumphed and passed away. The lordly house of Timour has risen, and flourished, and decayed. Nature herself has suffered convulsions. The mountain has sunk,—the valley has been filled,—the Ganges has changed its course, while those who drink of its waters remain the same, bound up in the same customs, involved in the same prejudices, abandoned to the same superstitions.

It is not enough to say that they have recently submitted to many alterations, that they obey our laws and serve in our armies. I do not speak of their political or national condition.—in this respect they have undergone perpetual vicissitudes. I speak of their social and domestic manners and opinions; and the fact, that in the midst of so many political changes, their domestic and personal system, civil and religious, should have continued unchanged, is itself only an additional confirmation of these general remarks: this fact, I venture to repeat, is unquestionable. The private life of the Hindoo, under whatever public circumstances, has been invariably the same. The private life of the Hindoo is at this moment precisely what it was at the time of Alexander's expedition; nor could a modern traveller describe it in terms more appropriate than those employed by the pen of Arrian.

If this be true, is there any prospect of a sudden or speedy change? or can the fiat of a British parliament at once and in a moment transform those millions into consumers of British manufactures? If any change take place, it must be gradual, and cannot be sensibly felt till after the lapse of many years. And yet it is for the purpose of immediate relief that the distressed manufacturers of this country have been incited to clamour for a free trade with India. Sir, I deeply feel for the condition of those unfortunate men; and I feel for them the more deeply at present, because with respect to this question, they have been made the victims of delusive misrepresentations, industriously circulated in some degree perhaps from ignorance, but in some degree also I fear from motives less excusable. It is singular enough, however, that even those who insist upon the existing pressure upon our commerce as an argument for opening the trade to the East, (as if the subversion of the Company's monopoly would in an instant create a market for all the goods now on hand, and for as many more as can be furnished;) it is singular enough that some even of these allow the little hope of any immediate improvement of our commerce. I recollect that this is the case in some letters which were addressed a few years ago to the manufacturers of Glasgow. The author argues much upon the low state of trade.—In answer to the statement that the Hindoos feel no desire for British commodities, he observes, that it is true they do not feel any want of them at present; but he adds they will in course of time, and illustrates this position by the instance of the Attacotti, who, it appears, formerly inhabited the district about Glasgow and Paisley. The Attacotti, he remarks, had as little taste 18 centuries ago for the manufactures in which their descendants now excel, as the Hindoos can possibly be accused of betraying for British goods. Eighteen centuries! A consolation indeed to our afflicted countrymen! In the manner in which this question has been argued by some persons, there seems to have been a radical fallacy. It seems to have been thought that in order to prove that there would be in India 60 millions of customers for our goods, it is enough to prove that there are in India 60 millions of inhabitants. But if unlimited access be all that is required for the extension of trade, why are not the islands of the southern ocean covered with our manufactures? why do not our vessels swarm round the coast of Africa?—not indeed for the purposes for which these advocates for a free trade once visited that country, but for the purposes of an innocent and bloodless commerce? It has been said that though the extravagant hopes which have been too generally entertained might at the opening of the trade occasion the ruin of the first adventurers, yet commerce would soon find its level and proceed in its ordinary course. Now this may be good as consolation, but it is bad as argument; especially when addressed to those who are likely themselves to be the victims of this speculative spirit.

But let it be admitted, Sir, that the wildest expectations of the most sanguine will be realised; still the great question remains; How will this affect the people of India? For this, it should never be forgotten, is the enquiry upon which our decision must turn; and I am almost ashamed to have dwelt so long on any other branch of the subject. We are legislating for India, for the happiness of India; and I ask, what will be the influence in that point of view of a large and almost unlimited admission of European adventurers into that country? For let it be recollected, that this vast increase of British exports to India, this vast augmentation of commercial intercourse between the two countries, necessarily supposes an admission of Europeans into these territories far beyond the utmost number which are at present admitted. It is obvious indeed that the one could not take place without the other; and then I ask, is there no danger to the people of India? Is it reasonable to suppose that men rushing into that scene with the sole anxiety for wealth, would be always very scrupulous as to the means of attaining it? We have heard much of the honourable British trader, and certainly no man is more disposed than I am to do justice to that high character. From those distinguished men who by extending our commerce extend our prosperity and fame, and of whom it would be easy to name many both within and without these walls, I should expect not only every thing that is accurately just, but every thing that is enlarged and generous in honour or humanity. If these were the persons to whom the fortunes of India were to be trusted; if those hon. gentlemen whom I have now the honour to see in this House were themselves to be present in every vessel that sailed for the East, there might be less room for apprehension—though even then all fear would not be removed, unless they could preside in person over every separate transaction in their commercial dealings, or unless they could transfuse their own spirit into all their inferior agents. But does any man believe that a majority, or even a considerable part of those who would take advantage of a less restricted intercourse, would be composed of this class of merchants? Do we not know that far the greater number would be adventurers of desperate or needy circumstances, burning to try their fortunes on that distant and boundless stage, and ambitious only to enrich themselves in the shortest possible space of time,—is it likely that they should regard the welfare of the natives as their prime concern; that they should be alive to their feelings and sensibilities? Amidst so many temptations and so much impunity, would they be always tenderly awake to the claims and interests of that people? would they never be guilty of severity, injustice, and oppression? The apprehensions which I express are not chimerical; they are justified by our past experience.—Unwilling as I am to dwell upon the shame of my country, I am yet obliged to observe, that, with the exception of Asia, the establishment of the British dominion, in remote quarters of the globe, has proved to the inhabitants of those countries not a blessing, but a curse,—a heavy and protracted curse. Look at our intercourse with North America—a series of oppressions, cruelties and wars—the natives whom we visited under the auspices of unrestricted commerce exposed to every indignity; whole tribes extirpated; the rest driven from their possessions, chased from hill to hill and forest to forest, and the natural consequence of all this, an indelible hatred between the persecuted survivors and the descendants of the British settlers.—I fear, indeed, that there may be some, not assuredly within these walls, but I fear there may be some out of this House, who would think it almost worth while to have incurred so much guilt, and to have travelled through these enormities, for the sake of creating a new population which might annually dispose of 12 millions of our manufactures. If there be a heart which can harbour such a sentiment, I should be glad to unmask its wishes, to lay it open to the inspection of the House, that we might see how much of philanthropy, how much of generous regard for the natives, how much of happy promise for India is treasured up in its recesses. For here is the very principle of sacrificing every thing to our commercial greatness, not silently admitted, not indirectly encouraged, but avowed and recommended as the ground-work of action.

If the instance of North America be not sufficient, cast your eyes across the Atlantic, on the opposite coast of Africa—see there the effects of a free commerce; mark the wounds of that continent; and then tell me who were the authors of those miseries? whose were the hands that inflicted those wounds?—whose was the flag that waved over those enormities?—If, at the commencement of our intercourse with Africa, any one had dared to predict that the British name would be stained by acts of such damning atrocity, would not the prediction have been treated as an abandoned calumny?—Happy would it be, if we could now treat it as such; but unfortunately it is so verified as to leave no room for doubt to the most incredulous of our posterity. Sir, it is not I that make this charge against my country. The charge is made in the annals of parliament; it is embodied and immortalized in the Abolition Act of 1806; an Act which on the one side indeed is a monument, and a splendid one too, of national justice, but on the other side a memorial of national infamy and crime.—It is well known what unanimous efforts it required on the part of the legislature to put a stop to that traffic, and that attempts are even now made, in spite of law, to carry it on; and there is no doubt, that if, at this moment, the Abolition Act were repealed, there would not be wanting men, abusing the honorable title of British traders, to renew all those horrors.

With these events before our eyes, events which throw such a deep gloom over the face of the national history, we are required to give up India to the tender mercies of these philanthropists.

Among the petitions upon your table against the East India Company, there is one which particularly charges the Company with having excited wars in India, and with having thus made an exception to the general rule that " peace and tranquillity are the inseparable attendants of commerce." And who do you think, Sir, of all others, are the persons who bring this charge? Who are they that are so convinced of the truth of this sentiment, as to press it upon the conviction of the House?

—The people of Liverpool.—Admirable consistency indeed !

But there is no occasion to wander into other regions to shew the consequences that might result from the evil which I deprecate. India itself has within these few years unhappily furnished abundant confirmation of my fears. Among the papers printed by order of the House, is a letter from the governor general, written in the year 1810; which gives an account of the gross outrages that were recently committed by some indigo planters. The governor general, after referring to the details of these shocking transactions, states, as the result of his examinations, that these men had been guilty of various acts of oppression and cruelty, that they had actually levied war against each other, and forced the natives to follow them and commit depredations on each other; that they had subjected many of the natives to illegal confinement, and inflicted various cruel punishments which though they did not amount to murder in the legal acceptation of the term, had certainly often terminated in murder. Our government in India has discovered and repressed these practices; but will it be possible to repress them, when the number of adventurers is much increased, in the midst of increased temptations and multiplied chances of impunity?

I know that the sanguine visions entertained upon this subject have been compared to the prospect which greeted the eyes of the Spaniards when from the mountains of South America they first saw the Pacific ocean. I trust, Sir, I am not insensible to the magnificence of this comparison; but while I feel its grandeur, I cannot help recollecting the sequel of these sublime anticipations—I cannot help remembering what a withering look it was which was cast over that happy expanse, and how soon that smiling prospect was to be blasted by sorrow and desolation. I tremble therefore lest the parallel should in this respect also hold too closely; lest those visions should be prophetic of other scenes than those of joy and peace; lest the boundless field of our hopes should become the spacious theatre of our crimes.

If the natives of India were allowed to have an influence on our judgment to night, do you not think that they would above all things deprecate a change? They cannot indeed be present to offer their remonstrances at your bar; but I trust they will not want an advocate in every bosom in this assembly. On their behalf, in their name, I venture to intrude myself upon the House. Through me they give utterance to their prayers. It is not my voice which you hear, it is the voice of 60 millions of your fellow-creatures, abandoned to your disposal, and imploring your commiseration. They conjure you by every sacred consideration, to compassionate their condition, to pay due regard to their situation and your own, to remember what contingencies are suspended on the issue of your vote. They conjure you not to make them the subjects of perilous speculations, not to barter away their happiness for the sake of some insignificant local interests. It is a noble position in which this House is now placed. There is something irresistibly imposing in the idea, that, at so vast a distance and across a waste of ocean, we are assembled to decide upon the fate of so many millions of human beings; that we are to them as another Providence; that our sentence is to stamp the colour of their future years, and spread over the face of ages to come, either misery or happiness. This is indeed a glorious destiny for this country, but it is one of overwhelming responsibility. I trust that the question will be decided, not upon party principles, not upon trust, not upon vague theories; but upon sound practical policy, and with a view to the prosperity and preservation of our Indian empire. Let us remember that if we once embark on a system of speculation, it will not be easy to retrace our steps. If the experiment be once made, it is made once for all. If we once break down those ramparts within which we have intrenched the security, and the very existence of the Indian people, we can never rebuild the ruins—we can never restore the privileges which we first conferred, and the rights which we first taught them to appreciate, but with which we shall have so cruelly tampered—we can never re-animate the spirit which is now diffusing blessings over that continent. I do hope that an arrangement which secures such advantages will not be lightly put to the hazard. I think that no man ought to give a vote which may tend to endanger the present system, unless he is convinced upon personal examination, that it will be replaced by a system exempt from its inconveniencies, and likely to bestow at least equal benefits; and I venture to assert that such a vote unsupported by such a conviction will involve in it a dereliction of duty. In maintaining the system which has been the parent of so many blessings to India, we shall find our recompence in the gratitude of that people; and if that recompence should be denied us, yet when we look on the moral cultivation and progressive felicity of those regions, and when we reflect that these are the fruits of our wise and disinterested policy, we shall enjoy a triumph still more glorious and elevated; a delight, infinitely surpassing the golden dreams of commercial profit, or the wildest Elysium ever struck out by the ravings of distempered avarice.

The first Resolution recognises the existing system; and it has therefore my warmest concurrence.

Mr. *Hart Davis* considered the opinions entertained on the subject of the East India Company's profits as a delusion—a gross delusion. One cause which contributed to produce this effect was the confusion in which the accounts of their civil and commercial establishments were kept. It was the interest of the directors to represent this intricacy as insuperable, but it was by no means so in fact. If these accounts were kept properly distinct, and once laid upon the table, the delusion of their profits would be so apparent, that it would make the proprietors themselves require the directors to retire from their situations. The conduct of the petitioners from the out-ports had been perfectly correct and liberal. They had, first and last, professed their readiness to submit to any regulations which might be thought necessary to the political security of our empire in India. He himself had never been of opinion that the increase of trade to India would be immediate, but it was better that it should be progressive and gradual. He denied that the Americans enjoyed the advantages they possessed as neutrals; our own merchants would have equal advantages, if not labouring under the restraints imposed by the East India charter. One important source of an extension of trade would be opened to us in the importation of raw materials from India, particularly of cotton, of which we at present imported seven-eighths of all that we consumed. The same might be said of hemp and rice. There was one of the Resolutions of which he disapproved, namely, that relating to the term given to the China charter; he should be ready to second any gentleman who should propose to have it limited to the period of the conclusion of a peace, or to the term of ten years. He was astonished to hear it asserted, that smuggling must succeed better in the out-ports than in London, where the goods must be so much more easily secreted as well as sold; insomuch, that contraband articles were often brought from a distance, at a certain risk, for the sake of the greater advantages which the metropolis afforded to this kind of illicit traffic. There was one question which he wished to have answered, either by one of the directors, or by a gentleman who had given so much of his time and abilities to this subject, (Mr. Tierney.) It was said that the directors had agreed that the out-ports should carry out any goods to India that they pleased, on condition of their bringing back their imports from thence to the port of London. Now, would not the political danger be precisely the same on this supposition if they returned to any other port in the United Kingdom? Had they not, therefore, by making this concession, given up the only principle on which they could make any stand with the hope of success? He believed it would puzzle even the ingenuity of the right hon. gentleman alluded to, to give a satisfactory answer to this question. A sarcasm had been thrown out, that the advocates for a free trade were persons who had been formerly concerned in the Slave Trade. He would only answer for his own constituents, that for a long time before this trade was abolished by law, not a single vessel had been fitted out from Bristol upon it. He would not retort the charge by saying (for he did not believe it,) that the East India directors were influenced more by their love of patronage than by their love either of Asiatics or Europeans. If the Company, in the character of sovereigns, aided the private trader, and seconded the intentions of government, he thought they might do the greatest good; but if, in their character of merchants, they interfered with his interest, the hon. member hoped the proposed regulations would give the government here sufficient authority to resist the abuse of a power which must, in that case, do the greatest mischief.

Mr. *George Phillips* complained of the mode in which questions had been put by counsel to the witnesses examined at the bar. They were always asked generally whether danger might not be apprehended from the indiscriminate intercourse of Europeans with the natives of India? And the answer usually was, that it might. But when the details were inquired into, it was found that the circumstances and habits of the natives were such, and their advantages in carrying on the inland trade so great, as almost to restrict the intercourse of the coast. This was the opinion of colonel Monro; and lord Teignmouth had also distinctly declared, that he thought there was a police in India strong enough to restrain a much greater number of Europeans than were likely to resort there. It did seem a little strange, that, while 25,000 soldiers constantly resided there with impunity, so much alarm and apprehension should be conceived from the introduction of a few hundred private traders. Were the latter so remarkable for a total inaptitude to conform to the manners of the people with whom they had to deal? Was it supposed that they would exchange characters with the former? That the private trader would give up his characteristic discretion, his peaceable demeanour, his persevering industry, for the impatience of restraint, the dashing irregularity, the quickness in quarrel, of the soldier? He entertained a different opinion of the qualities of British merchants from the gentleman who spoke last but one, who seemed to think that they were only fit to be slave-merchants. He himself thought otherwise. Many ridiculous stories had been detailed in evidence of the dangers and disturbances to follow from the admission of British merchants in India. There was one of a person who had gone out there with a bull-dog that had attacked a cow, and another of somebody that had killed a monkey, to the great annoyance of the natives. But he considered all such stories and all such apprehensions as merely idle. The private adventurer could not be supposed to go to India with a design to overturn the government, and give offence to the inhabitants—a design which must be completely subversive of his own interest. As far as he had read or heard, he believed the colonization of India would be a good thing. He had the authority of Mr. Colborn for thinking so. That gentleman had well observed, that now all the fortunes made in India were brought home to this country; whereas if property was suffered to be acquired in the soil itself, these fortunes would often be left there. He would not follow the example of the counsel for the East India Company, who had inquired only what advantages a free trade was likely to give to our exports to India; but he would take the reverse of the medal, and contend, that our exports from India might be greatly increased. Indeed, that any two countries, so different in climate, productions, and circumstances, and not under the withering restraint of a monopoly, should so soon have arrived at the ultimate point of mutual advantage in their intercourse with each other, appeared to him extraordinary, and contrary to the reasoning of all political writers, as well as to all experience. He would chiefly confine himself to the consideration of that article of which he had most knowledge. It was said, that the quantity of cotton imported from India did not admit of increase, because superior cotton was grown in Georgia and South America. But he did not believe the fact; he had seen India cotton examined in the presence of the most experienced cotton-spinners, who had pronounced it equal if not superior to Georgia cotton. The superiority of the India muslins was the consequence of their preparing the cotton by hand labour. He did not wish to enter into details which could not be much to the taste of the House; but it was proper to state that the process of preparing it in this country, by a machine, tore the fibre of the cotton in a manner which no after process could restore. If cotton was prepared in India, and manufactured here, the spinners would be able to produce such yarn as had never been seen yet, and at a reduced rate of one-half the price. The hon. member here entered into some calculations respecting the price of labour and of cotton in India, and referred to the opinion of Mr. Lee on the subject, who, he said, was a practical man, and who had for many years conducted the largest cotton manufactory in this island. The differences of the circumstances of Georgia and India explained the deficiency of the results; Georgia had the advantages of a free trade, India was repressed by a monopoly. Not that he meant to throw any reflection on the servants of the East India Company; but it was only from the spirit of individual enterprize, and open competition, that we were to look for the beneficial effects which he had described. The hon. gentleman then proceeded to animadvert on the inaccuracy of the accounts presented by the East India Company. The profits of the India trade for the last 17 years were first stated at 2,700,000*l.* But afterwards there was a discovery of another account, which made it necessary to deduct 1,300,000*l.*; and then this reduction making the whole ridiculous, there was another discovery of 1,300,000*l.* which ought to be added, and so the account stood as before. What respect could be paid to such statements? Must not every person of common sense conclude that there was a loss upon the whole! But if there was a deficiency in the revenue, was a monopoly the best way to remedy it? Monopolies, as stated by Mr. Adam Smith, were always monopolies against the country granting them: the monopoly price being always the highest price that could be obtained; and the gains of a monopoly were always very small, in comparison with the money taken out of the pockets of the people. The cheapest way, if it were necessary to support the Company, would be to lay a direct tax to enable them to pay their dividends.—The hon. member then read some extracts from speeches* made in the time of Elizabeth. He had no doubt the monopolists of that day were as averse as those of the present to open the out-ports to the trade of the world. Lord Grenville,—and he should like to know if he was to be reckoned an impracticable theorist, an unpractised statesman—in a speech which he had lately made on the subject, and in which speech there was great practical wisdom, had pointed out the inconsistency in the system, by excluding the merchant from the trade to China, and that it would give rise to jarring and conflicting interests. He had pointed out how dependent the commerce of one place was upon that of another; and that the want of the Chinese market would prevent the British merchant from being able to enter into a competition with either the foreign merchant or the Company.—The whole system of the noble lord opposite was composed of the most jarring elements. With respect to what he had heard rumoured, of an intention on the part of the Company to ruin the private traders by competition; if that was their object, the private traders would soon give them enough of it. He knew they would soon drive the Company out of the field by their superior economy, and more improved system of carrying on trade; and he thought it therefore likely that the Company would not resort to this. Still he was aware, that if, as a chartered Company and sovereigns of India, they were to make use of their revenues, and of what profits they might derive from being possessed of the China trade, they would soon drive all the private British merchants out of the Indian trade. He meant to throw no reflections on the Directors or on the Company in general, for he believed the Directors were most conscientiously desirous of having India well governed, but still they could not help shewing now and then their narrow views as commercial monopolists. One argument used against the free trade was rather singular, as coming from the Company, and that was, that it would raise the price of Indian produce. Good God! was that a result which, as sovereigns of that country, they ought not to be proud of? There was nothing but competition which could establish any thing like a fair price between buyers and sellers, and it was singular enough that they should deprecate such a beneficial circumstance from taking place among their own subjects.—Much had been said of the advantageous manner in which India had of late been governed; but it was because the Company had been under the influence of the Board of Controul, that this advantageous system of management had been derived. It was said the revenue would suffer, because the introduction of private traders would injure the trade; but British traders were not so besotted as to pursue a ruinous trade. With respect to the loss of revenue from smuggling, he had no apprehensions on that head. Let our commerce be extended as much as it could, and let us trust to that for a corresponding extension of our revenue. The evidence which had been produced on this subject was all derived from the Custom-house officers of the port of London. But these Custom-house officers might be influenced by opinions in favour of their own skill in the collection of revenue, and they might think, naturally enough, that other Custom-house officers were not so skilful as themselves. It was curious enough to see persons who were desirous of confining the returns from India to the port of London, coming forward with Petitions for the exclusion of American cotton, thus placing them under the necessity of procuring cotton from India in the most expensive manner.—There was another argument on which much stress had been laid by the Company, and that was, that large bodies of men in the port of London would be thrown out of employ. All reforms were attended with some temporary evil, and so were all changes of any importance, whether from war to peace or from peace to war; but, he believed, it had always been found, that the evils had been much less in reality than in apprehension. Some evils might, no doubt, be experienced from this change, but they would not be so great as had been often represented, and he had no doubt, that those concerned in the trade at present would soon find some other channel of employment. Unless some greater change was effected than what was meditated by the noble lord, the result, indeed, could be productive of no very great alteration. He believed, that the port of London itself would even be greatly benefitted by the opening of the China trade. But when they were deliberating respecting the welfare and the prosperity of this country in general, and of sixty millions of people in India—a whole quarter of the globe,—were they to be governed by the petty interests of the port of London, and to consider them as paramount to the interests of both England and India? If the trade were to be thrown still more open than was proposed by the noble lord, parliament ought not to be deterred by the consideration of the mere local consequences to the port of London. With respect to the duration of the charter, he would put it to the noble lord whether it might not be better that it should not be granted for a longer term than ten years.

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* From the Debate on a Bill against Monopolies, November 20, 1601. See the new Parliamentary History of England, vol. 1, p. 923.

Mr. *Charles Grant*, sen. spoke in substance to the following effect:

It had been the great misfortune of the East India Company that the real nature and state of their affairs were so little understood by the public. The prejudices and misrepresentations which had long operated against them, had hence been extremely injurious to their interests. Since the question of renewing the charter had been agitated, opinions had been advanced by men from system or interest adverse to the continuance of the Company's privileges, that the removal of their monopoly would open unbounded fields of commerce in the eastern world, to the industry and enterprise of this country. These sanguine ideas had been echoed from all quarters, and had very generally possessed the minds of mercantile men. To such, nothing more than free access to those regions seemed to be necessary, in order to repair all the disadvantages under which the commerce of this country laboured from continental restrictions, and the difficulties occasioned by a war which had subsisted twenty years. A full enquiry, however, into this important subject, had now gone far to undeceive the public. It had been most strongly confirmed by the vast body of able and enlightened evidence taken before the House, as well as by past experience, that the consumption of our manufactures could in no material degree be extended among the natives of India. The exports of the last twenty years had contained no new article of British production for the use of those natives. They were intended for European consumption, and limited by the extent of the European population there, which was supplied abundantly and to excess by the channels at present open, as the evidence already alluded to had irrefragably shewn. The wild and delusive expectations therefore before entertained on this subject had subsided. The practicability of an unlimited vent of British productions in the East was no longer maintained. It was something to have gained this point; and no doubt, if various other notions and opinions advanced in opposition to the system of the Company were examined with the same care, the result would be equally favourable.

Allusion had been made by the hon. gentleman who spoke last to doctrines maintained by a noble lord (lord Grenville). He wished to speak of that noble person with deference, but as he thought many of the opinions sanctioned by his lordship were both erroneous in themselves and unjust to the Company, it was his duty to avail himself of the liberty of free discussion in remarking upon some of them. That noble person had wholly opposed the claim of the Company to the territorial possessions, asserting, if he understood him right, that both the sovereignty and the soil were the right of the crown. This was an assertion which parliament had never made, and he hoped never would make. The Company's possessions had been acquired and extended under parliamentary sanction. They were acquired through a long course of dangers and vicissitudes, at the expence and the hazard of the Company themselves. In all the charters since passed, and particularly the last charter of 1793 (a charter to which the noble lord was himself a party) the Company's claim of right was recognized and expressly reserved as well as the right of the crown, for future discussion. He was persuaded that if the question were tried fairly, the property of the soil would be awarded to the Company—if it were to be decided by a mere act of power, he could not tell what might be the issue, but he trusted the nation would be governed in this case by the principles of justice, which were in their nature immutable.

Another proposition advanced from the same quarter had surprized him, that the union of the commercial character with that of sovereign in the government of the Company was prejudicial to the trade and welfare of the country they ruled, and ought to be separated from it; for that the sovereign being also a manufacturer, the weavers were completely in the hands of the Company, and no private trader could enter into competion with a sovereign-merchant. This doctrine might have been advanced forty years ago, as, indeed, it was, with more appearance of reason; but the facts assumed were not warranted by the history of the last 25 years, nor the doctrine applicable to the state of things during that period. If the conduct of the Company's administration in that time, were examined, nothing would be more plain than that they had directed their political power to the true ends of political government, not used it as an instrument to sacrifice the public good for the benefiting their commerce. The code of public regulations which their government had enacted, and which bound the government itself, as well as the subject, would bear him out in this statement. Those regulations provided for the protection of the manufacturer, and the private trader in the enjoyment of their just liberties and the fruits of their industry. There were documents before the House, those very regulations he had mentioned, which were sufficient to demonstrate this to be the case.—In fact, the manufacturers engaged by the Company derived a great advantage from their employ in the permanency of it, while the demands of individuals were uncertain and fluctuating, and as to the practice of making advances to manufacturers it was ancient and universal in the country, and necessary to furnish them with materials for their work. In short, if the whole tenor of the Company's orders from home, and the spirit of their administration abroad for many past years were scrutinized, he had no fear but it would be found that to promote the welfare and happiness of their subjects had been their governing aim.

As a deduction from the same doctrine it had also been maintained that the Company did not carry on trade on true commercial principles, but for the purpose of conveying the surplus revenue to England, that therefore it was a subordinate consideration with them whether they gained or lost by the trade, their main object being remittance; and that hence fair competition was destroyed; for they spoiled the trade of individuals when they must carry on their own to a loss. But it was a fact well known that for fourteen or fifteen years past there had been no surplus revenue, consequently the remittance of such a revenue could not have been the object of trade, nor have supplied its capital, nor have occasioned or supported the alleged loss—Yes, but it was further said that the investment system gave the Company power to contract political debt for investment; and from other quarters it had been charged that the Company carried on their trade by capital furnished in this way, and that this was the cause of contracting much of the Indian debt. Mr. Grant said it was true that out of the general Indian treasury, into which all receipts from revenue and the sales of goods promiscuously went, advances might have been made for investment at a moment when the commercial funds of the Company on the spot might not have been equivalent to those advances, but on the other hand the Company had to defray in England out of their home funds, large expences which appertained to the territory, and there was no way of stating this account fairly but by placing on one side all that the Company had received from India and China, and placing on the other, all that it had supplied or paid at home for those countries. Such statements framed by the Company were now before the House; the committee of the House which had sat for several sessions had investigated the same subject, and the result appeared to be, that after crediting India and China for all the supplies sent from them (including goods lost on the way home) and debiting them with all the goods which they received (not including those lost on the way out) as also for bills drawn on the Company at home, and for political payments made in England, the commerce had for a series of years, indeed during the period of the last charter, supported itself, and was not indebted to the territory either for revenue or for loans.

Proceeding upon the idea that the object of the Company was to remit revenue, it was further said that they ought not to do this in goods on their own account, but should advance the money in India to private traders for their bills upon England. But however this might be calculated for the benefit of those merchants, it would, besides excluding the Company from the trade, be evidently insecure for them. They had large engagements to make good in England, both for their commerce and territory; their credit depended on their punctuality in performing those engagements; but what certainty could they have of the solvency or punctuality of those persons who should grant bills, or even that the Company's funds in India could be disposed of in this way with the required regularity? The discharge of their positive engagements could not safely be left to depend on circumstances and events not certain in themselves, nor within the Company's controul.

In the same train of reasoning it had been asserted that the Company had lost four millions on their Indian trade in the course of the last nineteen years. He was quite unable to comprehend upon what data such a conclusion could be formed. The Company's own statements, far more likely to be accurate, he would venture to say, than any opposed to them, as being formed on more authentic materials, shewed on the contrary a gain in that period, after all reasonable deductions, of two millions, certainly not a large gain, for the vast increase of the cotton manufactures in this country and other parts of Europe, and the war in which we had been involved since the commencement of the last charter, had materially reduced the profit of the Company's Indian trade. But had not individual British subjects who embarked in that trade experienced the same effects? Unquestionably; and he was persuaded that however the trade so adventured in by private merchants might answer to Indian ship owners, or others concerned in conducting it, it would on a fair comparison be found as to principals themselves that their rate of profit was not equal to the Company's (he spoke of the Indian trade only) and he should be glad to have an opportunity of making such a comparison.

No charge brought against the Company surprized him more than that of their taking payment of territorial revenue in kind, and this was also stated as resulting from their commercial character. In all the vast extent of countries under the Company's authority he knew of nothing that could give a pretence for such a charge, except the receipt in one of the Guzerat provinces, of some cotton in payment of revenue; and this had arisen not from any invented scheme on the part of the Company to serve their commerce, but had been the usage in the province under the preceding government of the Mahrattas from whom the Company acquired that district, and the Bombay presidency finding the practice established continued it, allowing to the cultivators a fair price for their cotton. The province having been acquired only in the year 1803, this peculiarity had not till a recent period engaged the notice of the court of directors, who from the accounts of their servants, certainly apprehended nothing exceptionable in continuing in this instance an usage understood to have been in earlier times very general in Hindostan, and indeed the fundamental principle of the land revenue there, namely, a division of the produce between the sovereign and the cultivators. But the object was of small import to the Company, and were it otherwise, would not be followed at the expence of the real interest of the country or the parties concerned, should that be found to be injured by it.

The hon. gentleman who spoke last had charged the Company with inconsistency, because, whilst they contended that the opening of the trade to India would be dangerous to that country from the influx of Europeans there, and on that ground opposed the importation of Indian commodities to the outports, they had agreed that ships might proceed to India from those ports, and it was from this, that the supposed danger must arise. But Mr. Grant said, if ships were not allowed to carry their return cargoes to the outports, the ships fitted out from those ports for India, would be comparatively few; whereas, if vessels of all descriptions were to issue from the ports of the United Kingdom, encouraged by the permission to return to those ports, the number would be much greater, and consequently the number of adventurers who would embark with a view of seeking their fortune in

India. This danger therefore might fairly be pleaded as one argument against opening the outports to the returns from India. Of the reality of danger to the peace of that country from an unrestrained entrance of Europeans into it, the whole body of evidence delivered before the House was full.

The authority of Mr. Colebrooke, an experienced servant of the Company, had been pleaded in support of the proposed enlargements of intercourse with India. But Mr. Colebrooke was not the author of that part of the book published in his name which relates to the trade of Bengal; he had so declared in an advertisement prefixed to an edition of that work published seven years ago. The part in question was furnished by a respectable free merchant now deceased, who was immediately interested in the subject. And it having besides been written eighteen years ago, it is not so applicable to the state of things at the present moment.

With respect to the importation of Indian cotton, on which the last speaker had dwelt, it was a subject of great importance, involving considerations to which the hon. gentleman had not adverted. The Company had both formerly and of late permitted the importation of that article, they were willing to do all in their power to promote it, but the establishment of such a trade on a large scale, did not depend on them, and was not to be effected merely by opening a free intercourse with India. The relative situation of India and of other countries that supplied us with cotton, and the comparative qualities of the article, were to be taken into view. An article produced at the distance of 12,000 miles could hardly enter into competition with one raised in our neighbourhood, unless favoured by protecting regulations. The cotton of Brazil was superior to that of India, and much nearer to us. The cotton of Georgia was more suited to many of our manufactures, and Georgia was at our door. The remote distance of India rendered the freight of cotton extremely high, and rendered that country incapable of taking advantage of every turn of our market, as countries closer to us could do: but this was not all, India could undoubtedly raise cotton to a very great extent, and would do so if there were a steady demand. But if during a suspension of cotton importations from other quarters, from the United States for instance, whilst we were in hostility with them, large demands should be made for that article from India, and upon the return of peace with America those demands should cease, the effect would be highly detrimental to India, where, after extensive cultivation had been encouraged, the adventurers in it would probably be left with the increased produce upon their hands. The cultivation of hemp, another article highly important to this country, might also be carried to a very great length in India, so as to render us independant of other countries for it. But if, during a war with Russia, that cultivation should be spread over the Indian territory, and upon a return of peace with that power the former commercial relations with it should be resumed, as would be entirely probable; what would be the situation of all those persons who should unhappily have embarked in hemp speculations in India? In our eagerness to render that country more conducive to the commerce of this, we ought to consider how our measures will apply to the local circumstances, and interests of India. If you wish to encourage the importation of cotton, and of hemp, from that country, do it upon some permanent principle, that shall operate in peace, as well as in war; and this, as will easily be seen, is a proposition which involves important and difficult questions respecting our foreign relations.

The hon. gentleman (Mr. Phillips) has suggested another measure which he supposes would be an improvement, but the suggestion proceeds upon merely English ideas, quite inconversant with the state of things in India. He is for establishing machinery in that country to spin cotton, in order that the twist may be sent to England. Now there is a large class of people spread over the Indian continent, the numerous females, for instance, of decent families, many of them decayed, who, by the custom of the country, live secluded in their own houses. Very many of them and others to whom the means of subsistence are extremely limited, earn a scanty livelihood by spinning cotton thread; such persons could hardly turn themselves to any thing else, and must be reduced to want, if this branch of industry were taken from them. And what would be the certainty of the continuance of the export of cotton twist from India, even if the manufacture could be established?

Another novel suggestion of very important bearings, first advanced by the noble lord, before alluded to, was, the opening of a trade, not only between India and this United Kingdom, but between India and South America. At present the government of Old Spain regulates the trade of its American provinces upon the ancient colonial principles; a general trade is not allowed to them. The intercourse of British subjects with them was either by licences, occasionally obtained from the Spanish government, or by smuggling. And he did not understand that the trade carried on in this way, had on the whole yielded an encouraging profit. But supposing the present restrictions to be removed, would it be for the true interest of this country to establish what must, on such removal, follow, a direct trade between British India and Spanish America? This might indeed prove beneficial to India, and beneficial to the Spanish colonies, but Britain would be no longer the centre and medium of the trade: it would be shared out, its ships would in fact be excluded from that trade, and a policy adopted which would tend to accelerate the independence of India and its separation from this country. It was, if he mistook not, much in this way that the progressive enlargement of the direct intercourse of our former North American colonies with foreign parts, led them on to new pretensions, and enabled them at length to resist the authority of the mother country.

The Company have been represented, by the last honourable speaker, as acting inconsistently in their character of sovereign; because they make it an argument against opening the trade, that the price of Indian commodities would thereby be enhanced. But this is only one part of their argument, they said that the competition at first expected, on opening the trade, would raise the prices abroad, and sink them at home, to a degree that would prove ruinous to the parties concerned, and of course destroy the trade. The Company do not object simply to the increase of prices in India, but they object to unnatural and spasmodic rises in the trade, which would unsettle every thing, and end in weakness and decay.

With respect to the proposal of transferring so much of the Indian trade from the port of London to the outports (which will come into more direct consideration hereafter) it is a change that must prove highly injurious to the numerous establishments which, in the course of two centuries, the Indian trade has formed in the metropolis, and affect the employment, the subsistence, of many thousands. In this view only it was a very serious question; but, if the alteration could be proved to be for the benefit of the empire in general, and not to involve consequences dangerous to India, the mere consideration of the detriment occasioned to the port of London would be of less weight. There were, however, no advantages to be derived from an extension of the trade, which could render such a sacrifice necessary.

It was upon this ground the Company opposed the changes now projected in the intercourse with that country. It was doing the Company the highest injustice to represent them as actuated by the narrow views of commercial monopoly. He protested against this representation: it had been generally acknowledged that the Company had governed India well. Was it compatible with this conduct, that they could have been, or should now be led, by a contracted special attention only to the monopoly of trade? They were influenced by principles directly contrary. They contended against the enlargement of the trade, not so much because their monopoly would be affected, as because the Indian possessions would be exposed to hazard. They wished to consult the safety and welfare of those possessions, and as harmonizing therewith the real benefit of this country. Upon these principles parliament ought to act, and instead of entering into the little interests of particular ports, legislate for the security and happiness of sixty millions of people.

Mr. *Canning* agreed, that of all the questions ever discussed in that House, the present was one, in which, perhaps, the greatest degree of exaggeration had prevailed, but this charge could not be confined to one side alone. The glowing visions of instant, and wide spreading prosperity, which the hopes of the petitioners for open trade had indulged in, and the realization of which they had so eagerly anticipated, had been fortunately met by those statements and that information, which had produced a sober and chastening view of the subject, and had brought expectation within a more reasonable compass. It would be one great duty of parliament, and a great public advantage, to lop off from this question, all barren and fruitless excrescences, and leave all that was sound and stable, in the arguments. It was a great advantage that parliament should come to the discussion free from all those topics which had no effect but that of perplexing and entangling the question. He should have thought the East India Company unsubverted and unimpaired, but for what he heard from the hon. director who spoke last, and from an hon. member, of whom the last speaker might be proud. It would be shewn, however, that parliament were not induced to any measure, by the complete adoption of all those views that were entertained by many petitioners. For his own part, he could not conceive any hostility against that valuable body, the East India Company. He could not conceive the idea of a corporate enmity. But he found them setting up a claim to the rightful sovereignty of India, a matter which they thought too delicate for that House to discuss,—one which it should avoid, lest claims should be pressed that must be vindicated by other authorities. He could not see the delicacy of the proposition, that whenever British subjects acquire dominion, it was not to be subject to the permanent dominion of the empire. It was a plain principle of legislation, that when parliament were legislating on the government and commerce of India, they were as clearly competent to do so, as to enact laws respecting their possessions, properly denominated colonies. He admitted the anomalous situation of the East India government, from the mode of its acquisitions, and from every other circumstance; but we had advanced little in this business, if it were now a doubt, whether we should be guided merely by expediency, or acknowledge a right to take away the hands of parliament from touching the East India territory. It seemed to be laid down, that because the anomaly was admitted, we were forbidden the application of any principles that were not anomalous in themselves. The union of powers as merchants and sovereigns might be necessary, but it did not follow that it was *ex necessitate rei* to be maintained as a specimen of legislation. He might admit the anomaly of a concurrent jurisdiction; but he was not bound to admit its necessity, if upon grave consideration, it should appear expedient to make the government of India resemble more than it did resemble, all the other governments in the world. Still he was for admitting the Company to retain their sovereign capacity; not as a right but as a concession: but if it should seem good to take it away, and to govern India by a direct mode, and not by a circuitous contrivance, it was the right of parliament so to legislate: and not in the right of the East India Company to plead their possession. It was necessary to distinguish between facts and principles, for the claims he had heard were claims, if just, on which an independent empire might be erected in perpetuity. If the Company however, were independent sovereigns, then he hoped they were in an amicable state with us, and were our allies. But their language was not that of allies, for it would be somewhat imperious of the autocrat of Russia, or the emperor of China, or any other potentate, to say, you shall have no trade with us, when our complaint was, that our trade was prohibited in other quarters; and to tell us, as these sovereigns of India did, " You are a pack of piratical raggamuffins who want to lay our villages in ruins and blood, and to carry away our children into captivity. We have heard of the horrible traffic you carried on for a century (the slave-trade), without shame, and would not abandon without a struggle." Hard from any government, but used by the sovereigns of Leadenhall, it was not precedented language; and the refusal might surely be given in gentler terms. Fortunately for the private trader, the right and power of interference did exist in parliament, who could consider the whole question in all its bearings without heeding the exaggerated pretensions of those territorial lords of Asia to dominions acquired by British enterprise, purchased by British sacrifices, and yet held by British arms. He could not see how the arguments from the slave trade could apply to the present question. It could not, however, be expected, that an attack upon any set of men on this point should pass over without notice. If it were not noticed in the House, it would certainly be noticed out of it. Who was there that could say, that the guilt of the slave trade attached to one set of men particularly, or to another set? Was not that trade, for a long time, sanctioned by parliament, and by all the great parties in the country? When the great question was, however, brought fairly before the view of parliament, the iniquity of the traffic became apparent, and parliament, to its immortal honour, reformed the evil. We were not, therefore, now at liberty to shift the guilt and disgrace of the trade (which had subsisted and been sanctioned for more than a century) from the nation to any particular set of men. It was not fair to impute the wickedness of this trade to a set of men who were comparatively innocent. As to the free trade with India, however, it was opposed principally on two grounds. In the first place, it was said that the expectations of gain by the merchants was so exaggerated, that there was every probability of its leading to their ruin; and secondly, it was stated that such was the immutability of the character and habits of the natives of India, that there was no probability of increasing the trade. It had been said, that for 3,000 years that nation had subsisted and witnessed all manner of convulsions of the earth, and rivers changing their course, while they themselves remained unchanged. What proof was there of this immutability of character? Had they not lately seen a change in the whole tenure of landed property without a murmur? Had they not seen an entire change in the judicature of the country, without a murmur? Had they not given 150,000 men to fight under Christian banners; and was it now to be said that this people could bear no changes? He could not see upon what principle we were to be told that in those territories of our allies, if not of our own empire, British merchants should not be allowed to trade on terms at least as favourable as others,—why the Americans should be admitted when the British were not admitted. All the arguments on the other side went to vituperate the character of the British merchants; but when the great danger of admitting them to the China trade was urged, it should be recollected that the Chinese themselves considered and called the Americans second-chop Englishmen. And was it now to be contended that British merchants ought not to be trusted to trade, not only with China, but even with our own territories? The question was not now about their trading without restrictions, but their trading subject to restrictions and regulations. It was now contended that this people, who had not changed for 3,000 years, would change their character all of a sudden, if a few pedlars were allowed to travel in the country with a pack of scissars or other hardware at their backs. He, however, neither believed in the alleged immutability of the Indian character, nor could he believe that they were so foolishly inflammable as some gentlemen seemed to apprehend. He thought that in the present state of trade, no man could say that India ought to be for ever hermetically sealed against this country; and as for jealousy, he thought the regulations to be adopted should be as jealous and scrupulous to protect the security of the British merchant in this friendly territory, as to preserve the monopoly of the Company. He conceived the general principle to be pretty well disposed of, except between those classes who went to the extreme length of contending, on the one side, that the East India Company should be abolished, and those who, on the other, maintained, that not a single feather should be taken from their sovereignty and prosperity. He thought that the decision of the House should be between those two extremes; and although he did not apprehend any insurmountable difficulty, in providing a government for India, independent of the Company; yet no man wished more than he did, to continue it in their hands. He was sure, that no system could be radically bad which had produced such able and enlightened statesmen as had been examined on the part of the Company. He was sure that such a system must be good, if it did not degenerate into a system of exclusion; and that under proper arrangements, it might best promote the happiness of India, and the true interests of this country.

Mr. *Ponsonby* would have wished not to be called upon now to give a vote upon the first Resolution, as he thought the House would be better prepared for the decision after the discussion of the other Resolutions. He, however, felt himself more inclined to the opinion of the noble lord (Castlereagh,) than to that of the right hon. gentleman who had just sat down. If he were called upon for an opinion upon the general question, he would say, that the inclination of his mind was, that the government of India ought not to be continued in the hands of the Company. When it was stated that the East India Company had introduced every reform that was practicable in India, he must say that this was not historically correct. It was not the East India Company who were the reformers. India as well as this country owed all the grand reforms which had taken place in that country, to that great and extraordinary man who now rested in the lap of earth, the late Mr. Burke. It was to his great genius, perseverance, and unexampled industry, that all these great reforms were owing. If, when his right hon. friend who sat near him (Mr. Grattan) should rest like Mr. Burke, the Catholic question should be more favourably received, it must at all times be acknowledged that it was to his labour that it was principally owing. In the same manner, it must be confessed that it was to Mr. Burke that the reforms in India were principally owing, and that it was the British parliament, and not the India Company, that introduced those reforms. He saw nothing in the nature of India that required those territories to be governed by the Company, although he would allow that unless proper regulations were made, there would be great danger in transferring so much patronage and influence to the crown. There were some persons, however, who held out the government of India by the Company as a thing in itself deserving the greatest admiration. He would ask those persons, however, if they had not found such a government accidentally established there, could they propose such a system of government for any other territories or colonies belonging to the empire? Could they, for example, propose that such a system of government should be adopted for the West Indies, or for Canada? It was, however, a very different thing to continue a system that we found established, from admiring it as a thing which was in itself most excellent. He should, however, have no objection to continue the government of India in the hands of the Company, for six or seven years, in its present state. He could not see on what grounds the British merchants were to be excluded from the trade to China, as the East India Company could not pretend that they were the sovereigns of China. They might say that the Indian trade was necessary to their Indian empire, but he could not see how they could assert that the monopoly of the China trade was also necessary to their Indian empire. He could not see how it could be fairly argued that the British merchants should be the only ones in the world that must be entirely excluded from all participation in the trade. He should not, however, object to the monopoly being continued a few years longer, but he could by no means agree to a proposition for extending it to 20 years.

Mr. *Robinson*, in supporting the Resolution, took occasion to warn the advocates of the India Company how far they contributed to extend the discussion of the question, whether it would be wise and expedient to govern India altogether independent of that Company. He strongly supported the suggestion for opening the trade. The only objections which had been urged, and which resulted from all the evidence that had been adduced, was the probability of smuggling, and the injury likely to be sustained by the natives —and those he had not the slightest doubt could be fully and completely obviated.

General *Gascoyne* said, he thought the India trade in general ought to be opened to the mercantile spirit of this country at large; but with respect to China, he should have no objection to let it remain in the hands of the Company for some short period of a year or so.

Sir *J. Newport* said, he thought the management of the trade of this country with India would be carried on much better under the controul of parliament, rather than by the monopoly of the Company. It was most evident, that in the course of every ten years since 1774, the Company had been under the necessity of applying to parliament for relief; and this application very forcibly evinced that this monopoly was not the most favourable mode of carrying on the East India trade. In almost every year during that period of time, they had been obliged to recur to parliament for assistance, and did not hesitate to own, that if that assistance were not granted, they must become bankrupt. In this way they had, during the whole of that long term of years, been supported by the public money, and yet had taken the advantage of their monopoly, so as to make the public pay whatever prices they chose to put upon the commodities they brought from India. If, therefore, they could not carry on their trade with all the advantages of their monopoly, without having through the medium of parliament recourse to the public purse, it was evident the country was the paymaster, and was fairly entitled to a participation in the profits of the trade.

The first Resolution was agreed to without a division.

Lord *Castlereagh* said, the second Resolution would very probably lead to a considerable length of debate. An hon. gentleman opposite had a notice which in the regular course of the business of the House, was entitled to precedence, but he hoped on such an occasion the hon. gentleman would consent to wave his privilege.

Mr. *Creevey* immediately consented to wave the precedence of his motion, which stood for to-morrow.

HOUSE OF LORDS.

Tuesday, June 1.

Major Cartwright's Petition.] Lord *Byron* rose and said:—My lords, the Petition which I now hold for the purpose of presenting to the House, is one which I humbly conceive requires the particular attention of your lordships, inasmuch as, though signed but by a single individual, it contains statements which (if not disproved) demand most serious investigation. The grievance of which the petitioner complains, is neither selfish nor imaginary. It is not his own only, for it has been, and is still felt by numbers. No one without these walls, nor indeed within, but may to-morrow be made liable to the same insult and obstruction, in the discharge of an imperious duty for the restoration of the true constitution of these realms, by petitioning for reform in parliament. The petitioner, my lords, is a man whose long life has been spent in one unceasing struggle for the liberty of the subject, against that undue influence which has increased, is increasing, and ought to be diminished; and whatever difference of opinion may exist as to his political tenets, few will be found to question the integrity of his intentions. Even now oppressed with years, and not exempt from the infirmities attendant on his age, but still unimpaired in talent and unshaken in spirit—"*frangas non flectes*"—he has received many a wound in the combat against corruption; and the new grievance, the fresh insult of which he complains, may inflict another scar, but no dishonour. The Petition is signed by John Cartwright, and it was in behalf of the people and parliament, in the lawful pursuit of that reform in the representation, which is the best service to be rendered both to parliament and people, that he encountered the wanton outrage which forms the subject matter of his Petition to your lordships. It is couched in firm, yet respectful language—in the language of a man, not regardless of what is due to himself, but at the same time, I trust, equally mindful of the deference to be paid to this House. The petitioner states, amongst other matter of equal, if not greater importance, to all who are British in their feelings, as well as blood and birth, that on the 21st January, 1813, at Huddersfield, himself and six other persons, who, on hearing of his arrival, had waited on him merely as a testimony of respect, were seized by a military and civil force, and kept in close custody for several hours, subjected to gross and abusive insinuation from the commanding officer, relative to the character of the petitioner; that he (the petitioner) was finally carried before a magistrate and not released till an examination of his papers proved that there was not only no just, but not even statutable charge against him; and that, notwithstanding the promise and order from the presiding magistrates of a copy of the warrant against your petitioner, it was afterwards withheld on divers pretexts, and has never until this hour been granted. The names and condition of the parties will be found in the Petition. To the other topics touched upon in the Petition, I shall not now advert, from a wish not to encroach upon the time of the House; but I do most sincerely call the attention of your lordships to its general contents—it is in the cause of the parliament and people that the rights of this venerable freeman have been violated, and it is, in my opinion, the highest mark of respect that could be paid to the House, that to your justice, rather than by appeal to any inferior court, he now commits himself. Whatever may be the fate of his remonstrance, it is some satisfaction to me, though mixed with regret for the occasion, that I have this opportunity of publicly stating the obstruction to which the subject is liable, in the prosecution of the most lawful and imperious of his duties, the obtaining by Petition reform in parliament. I have shortly stated his complaint; the petitioner has more fully expressed it. Your lordships will, I hope, adopt some measure fully to protect and redress him, and not him alone, but the whole body of the people insulted and aggrieved in his person, by the interposition of an abused civil, and unlawful military force between them and their right of petition to their own representatives.

His lordship then presented the Petition from major Cartwright, which was read, complaining of the circumstances at Huddersfield, and of interruptions given to the right of petitioning, in several places in the northern parts of the kingdom, and which his lordship moved should be laid on the table.

Earl *Fitzwilliam* declared his friendship and respect at all times to the right of petitioning. He however, on this occasion, entertained considerable doubts, if their lordships should receive the present Petition, whether it would not tend to injure the right, for which he should ever contend. There were charges and complaints in the present Petition, which, if they could be supported by proof, were remediable, and ought to be redressed, by the inferior tribunals. Besides, it did not appear that the individual sufferers had applied to any other authority on this occasion, and there was a just and primary court where redress might be obtained. Individuals preferred accusation against individuals, and he must say that their lordships' House was not the first place in which a man ought to endeavour at the redress of his wrongs; he ought rather to go before a jury of his country, who were the proper *pares* before whom these accusations ought to be tried, and before whom, there could be no doubt, he would procure justice. For these reasons he was inclined to think it would be their lordships' duty not to receive the present Petition.

Eral *Stanhope* felt a degree of astonishment at the reasons given by the noble earl, for this Petition not being received. Did the noble earl suppose that redress could always be obtained before other tribunals? It very often happened that the sufferers were so poor that they could not redress their wrongs. He would, however, contend that the laws of this country ought to be so framed that the rich should not only enjoy protection, but that it should be equally extended to the poor. There was certainly great oppression here complained of, and the very reason alleged in the Petition itself was, that the sufferers were poor persons, and could not procure redress. For this purpose, the petitioner approached their lordships, and prayed their interference, that the law might be altered. And could any man dispute that it was a fair subject of petition, to desire that this House, with the consent of the other two branches of the legislature, would make laws to redress the existing grievances of the poor?—(The earl of Lauderdale smiled.)—His lordship observed, that the Scotch earl might laugh, but the sufferings of the poor were not a laughing matter. He would at all times feel anxious for the happiness and the rights of the poor, and how were they situated in this country? Such were the expences of justice, that it was beyond their reach. Suppose a poor man had been contending for those rights which were contended for by a client the other day at their lordships' bar, in the case of an appeal, where the counsel, it was said, had one thousand guineas. The noble earl near him, and himself, if attacked, could defend themselves; but that was not the situation of a poor man, and it was necessary some alteration should be made in the law, and for this purpose the petitioner had applied to the legislature. For these reasons he should support the motion, that this Petition do lie upon the table.

The Earl of *Lauderdale* was, he trusted, one of the last to throw the smallest obstacle in the way of petitions. He was anxious that every man should have free access to the legislature on all occasions by petition. But if their lordships received the present, they would do that which would, if pursued, destroy the use and freedom of petitioning altogether. Besides, the contents of the Petition were such as, from the information he possessed, he was confident, were not founded upon accuracy. Charges were made against the military and civil authorities exercised down in that part of the country: but in respect to his own knowledge of the officer who commanded in that district at the time particularly named in the Petition, he would venture to say, no officer or soldier under him would be permitted to commit so great a transgression of duty. With respect also to the civil power, from the information of others, he was persuaded that the civil authorities, to their honour, had not exceeded that power, which was so necessary to put an end to one of the most alarming state of things, which could exist in any country. But he must say, he never knew any petition received by their lordships without a prayer. The petitioner detailed a number of grievances for himself and others, and without even saying that means for redress had been sought for elsewhere, and before the proper and constituted tribunals of the country, left the whole of his statement in that condition that it was for their lordships to decide whether they would go into a committee for the purpose of inquiring into the particulars of this complaint. This was not the fair mode of petitioning, but would have only became the noble lord to have moved as a peer. Under these considerations, he did not denominate the statement which had been read a petition, but the written speech of the individual who had signed it. The noble earl who had last expressed his sentiments, spoke much of the poor, and of the situation of the poor. Indeed, talent and labour with that noble earl, had, on all occasions, been the only just claim to riches and rank. He (lord Lauderdale) had spent much of his life in the consideration of systems of policy and economy amongst nations, and those who were best acquainted with him, would do him the justice to say that his political life had not been inattentive to the interests and happiness of the poor; but, unlike the noble earl, he was not disposed to lay any temptation for the poor to desert the paths and the pursuits of industry. It was necessary for their interests and their comforts every where, that they should be industrious. If a man exercised his talents, or persevered in his labour, it was right he should receive the reward; and he believed there was not a country where those advantages were so great as in our own.

The Duke of *Norfolk* said he could not agree to the motion, and particularly as the Petition conveyed a censure on the conduct of a most respectable magistrate (Mr. Ratcliffe), who had acted in such a manner as to deserve praise, instead of reproach.

Lord *Byron* replied, that he had, from motives of duty, presented this petition to their lordships' consideration. The noble earl had contended, that it was not a petition, but a speech; and that, as it contained no prayer, it should not be received. What was the necessity of a prayer? If that word were to be used in its proper sense, their lordships could not expect that any man should pray to others. He had only to say, that the Petition, though in some parts expressed strongly perhaps, did not contain any improper mode of address, but was couched in respectful language towards their lordships; he should therefore trust their lordships would allow the Petition to be received.

Viscount *Sidmouth* was not aware, before he entered that House, of any petition of this description being intended to be presented to their lordships. The Petition had been presented, and some progress made in reading its contents, at the time he took his seat; but from some expressions of the petitioner, which he then heard, he thought it his duty to make a few observations upon their import and tendency. It was stated that the civil power of the country endeavoured to oppress the poor of those formerly disturbed districts, by means of intimidation and persecution. Very fortunately the greatest tranquillity now prevailed in that quarter of the country; but in the times of confusion and alarm, he would challenge the noble lord, or any other person, to prove any act of oppression on the part of the civil or military authorities. That right hon. gentleman, who was so nearly related to the noble earl opposite, and who had the military power in that part of the kingdom, would not have permitted such acts as the Petition referred to, and all who knew his character would free him from such an imputation. There was also mention made of a magistrate, Mr. Ratcliffe; and with respect to this gentleman, he thought it his duty to state, and he was glad he had an opportunity of publicly stating, that if one individual had more particularly distinguished himself in the exercise of mildness and clemency towards the poor and the lower orders, while those disturbances existed and while he was actively employed in counteracting the mischief, it was Mr. Ratcliffe. The country was indebted to him for his services upon that occasion. The noble viscount, after stating other arguments against the propriety of receiving this Petition, insisted, that the poor of this country could, in no possible case, suffer the oppression represented by a noble earl; for such was the constitution of a British public that an oppressed poor man would find, at all times, benevolent men to advocate his cause. He trusted their lordships would reject the Petition.

The motion being put by the Lord Chancellor, the Petition was not received.

Viscount *Sidmouth* then moved, That the Petition be rejected.

The Earl of *Radnor* said he conceived, that when a negative was put on a Petition's lying on the table, that such petition was in fact rejected.

Earl *Stanhope* said, he had never known so irregular a motion as that just made by the noble viscount. He should have conceived the noble viscount, from having been the Speaker of another assembly very near them, must have been better acquainted with the rules of order, and that he would have known, that when a petition was not allowed to lie on the table, it was a complete rejection of it.

Viscount *Sidmouth* said, he had expressed his doubts as to the rules of this House; and though he had since been informed, from authority on which he could rely, that his motion would be regular; yet, as he observed the opinion of the House was, in this case, against him, he would not persist in it.

Here the conversation dropped.

HOUSE OF COMMONS.

Tuesday, June 1.

Petition respecting the Roman Catholics from the Ministers and Elders of the Church of Scotland.] Lord Castlereagh presented a Petition from the ministers and elders of the church of Scotland, met in general assembly; setting forth,

"That, observing that there was lately under the revision of the legislature, and may again come under their revision, that part of the public law of the state, which subjects Roman Catholics to certain disabilities, the petitioners are deeply impressed with the conviction that they should be wanting in duty to that great and loyal body of his Majesty's subjects which compose the national church of Scotland, of which they are the representatives, did they fail to express to the House the deep interest and concern they must ever take in all discussions and measures which have for their object to innovate upon the laws which our forefathers in their time, deemed necessary for securing to the people of these realms the blessings of civil liberty and of the Protestant religion: and that the petitioners have, at all times, felt the utmost anxiety that religious toleration should be preserved inviolate; and, at a period so full of peril to the security and independence of the empire, are aware of the peculiar importance of removing every ground of disaffection, of diffusing universally sentiments of genuine patriotism, by opening to all classes of his Majesty's subjects the paths of honourable ambition, and affording them all the consequence which property, talent, or successful industry bestow; but that the petitioners cannot be insensible to this peculiarity in the situation of Roman Catholics, that they maintain a certain intercourse with a foreign hierarchy, and observe a certain submission to a foreign pontiff, which may prove hostile to our ecclesiastical constitution, and is generally involved in political connections unfriendly to British prosperity; they know all full well how prone human nature is to corruption and superstition, and how powerfully the Roman Catholic creed, and the confidential intercourse with the priesthood, by auricular confession, tend to subjugate the worthiest characters, and to discipline and mould them into instruments for promoting the purposes of their sect; if, therefore, the House, and the other branches of the legislature, deem in their wisdom that the exigency of the times is such as to authorize any change in the system of securities adopted at the Revolution, that glorious era from which these nations date the blessings of freedom, order, religious toleration, and political prosperity, the petitioners trust and pray, that the utmost caution and prudence will be exercised, that none of the bulwarks of the constitution, ecclesiastical or civil, be, on any account, exposed to hazard, and that effectual precautions be adopted to exclude foreign influence from the councils of the state and the administration of the government, and to maintain this happy land impregnable, as heretofore, to foreign innovation, foreign intrigue, and foreign corruption; and that while the petitioners cordially express their reliance on the wisdom of parliament, and their full conviction that the rights and privileges of the church of Scotland will continue to enjoy the protection of parliament, they presume to annex to their petition a solemn declaration, in which they pledge themselves, before God, to the House, and to their country, that they will discharge, with fidelity and vigilance, the duties incumbent upon them as office bearers in that Protestant church which was established in Scotland at the blessed Reformation from Popery, and will continue to cherish, in the minds of the people committed to their care, those principles of religious liberty which are incorporated with the British constitution, and which are the glory of this Protestant land."

Mr. *Canning* said, he would avail himself of that opportunity to state the great satisfaction he felt at the stand that had been made within these few days, by the lay Catholics of England, against the efforts of an insulting and domineering priesthood. He was inclined to augur much good from their resolutions: they shewed themselves determined to emancipate themselves, and were worthy of the support of parliament. He hoped, that their example would have due effect with the lay Catholics of Ireland.

Ordered to lie upon the table.

East India Company's Affairs.] The House having again resolved itself into a Committee of the whole House to take into further consideration the Affairs of the East India Company,

Lord *Castlereagh* observed, that the Committee was now come to the second Resolution, regarding the China trade; and he thought the most convenient mode would be to reserve the debate on this head to the bringing up of the Report, when the question of time during which it was to remain in the hands of the Company could also be discussed. He should, therefore, merely move the second Resolution, which was, "That it is expedient that the intercourse wiih China should be conducted by the Company, and that the trade in tea should remain exclusively in their hands."

Mr. *Canning* meant to reserve what he had to say on this Resolution till the bringing up of the Report.

Mr. *Thompson* thought that the British merchants would by no means be satisfied with this monopoly. Was it meant that they should be prohibited from exporting our own manufactures to China?

Lord *Castlereagh* replied, that it was meant the tea trade should be exclusively in the hands of the Company, though the merchants would be allowed to import from the eastern isles, other articles, the produce of China. It was also meant that there should be no direct intercourse with China, except through the Company; though our manufactures might find their way to that country through indirect channels.

Mr. *Marryat* was against continuing the monopoly of the China trade in the Company. From his experience, he was certain that the circuitous trade was much greater and more profitable than many persons were aware of. It was strange, that the British legislature should exclude their own subjects from a profitable trade that was open to every foreigner upon earth. It was more lucrative, he was convinced, than the direct trade. He knew that the people of England paid one million and a half annually more for tea than they would do were the trade open, and was of opinion that it would be better for us to pay this sum at once to the Company than to continue the system as it stood at present. We ought to encourage our carrying trade, as it was the best and only nursery for seamen for the navy. Had it been encouraged as it ought, the country would not have to lament its late naval disasters. The Company had not shewn, by any good reasons, that it had a right to this exclusive trade. The only reason urged in their behalf last night, was their immaculate talents compared with those of the other vulgar and barbarous sons of commerce. But the persons who brought forward this reason, ought to have looked back to the early history of the Company. Had they done so, it would not afford much cause for triumph; as the Company's proceedings, about an hundred years ago, were so cruel, that it was made a source of complaint against them in the House of Commons, and their conduct was declared disgraceful to religion, good morals, and humanity. This would appear by looking back to the Parliamentary History of the year 1694. A few years after that, a director of the East India Company had been known to have practised extensive corruption, and to have given away in bribes to members of the House of Commons 90,000*l.* for the purpose of having the Company's charter renewed.* He stated some other facts of a similar nature, and said, that they were so notorious as to lead to the inquiries instituted in 1784. The Company called themselves the protectors of India; but they protected it as the vulture did the dove, or the eagle the lamb. When they talked of their good government and humanity, &c. it reminded him of the story of the Pharisee and the Publican in the Gospel. No reason had been given for this monopoly that would not equally well justify any other kind of monopoly by any other class of men. How different were the tones of the East India Company when they wanted money, and when they wanted a new charter. In the former case (which was an annual one) they talked of nothing but their resources—then they had 15 millions a year of well paid revenue; but now, when they wanted a new charter, they cannot go on without a monopoly of the China trade. Their ancestors had formerly declared joint stock companies public nuisances, and injurious to the property and rights of the subject. He wished the House to follow their example, and was strongly against the present Resolution.

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* See the new Parliamentary History of England, vol. 5, pp. 896, 914.

Mr. *Sullivan* said, that the Company in 1792, shewed every wish to grant licenses to such British merchants as were desirous of embarking in the fur trade with China.

Mr. *Stephen* expressed his surprise that his hon. friend should have taken that opportunity of making a violent attack on the Resolution, when it seemed to be the general sense of the committee, that it would be better to postpone the debate on the principle, till the bringing up of the Report.

Mr. *Charles Grant*, sen. said, it was altogether unfair to argue on the character of the present Company from that of a company no longer existing. The complaints which, according to the hon. gent., had in the time of king William, been preferred to the House against the conduct of the company of that day, came chiefly from adventurers and interlopers in India who wished to take the trade to themselves, who succeeded by clamours and exactions in getting themselves and their coadjutors established into a separate Company, which by its hostile competition nearly ruined both itself and the old Company. Among all the calumnies vented against the present Company he had never heard the strange accusation now so confidently brought forward by the hon. gent., that they had occasioned the destruction of so many of the natives of India! He wished to know where the hon. member had made this discovery, and that he would shew on what authority the accusation rested. It could only have been lately that he had entertained such views, for he had been a member of the Company, and had even taken a leading part in their general courts; but it could not be supposed he would have belonged to the body had he viewed the character of it then, as he represents it now. It was very probable that in the course of British administration in India, particularly in the earlier stages of it, exceptionable things might have been done by individuals. He did not mean to stand up as the universal advocate for all persons and measures which had appeared on the Indian scene; but was a system to be condemned because the conduct of every individual concerned in the execution of it was not perfect? Then must the British constitution be given up. It was impossible wholly to prevent deviations and irregularities. And if the government of this country could not with all its care exclude such defalcations and abuses as were fresh in the recollections of those who heard him, and wounding to the feelings of the nation, it ought not in fairness to be imputed to the Company as a subject of reprobation that excesses or malversations had sometimes occurred in the East. The system of the Company was no more to be given up on this account than was the British constitution because functionaries employed under it were sometimes guilty of abusing the trust reposed in them. The general administration of the Company and their servants for a series of years past was such as to improve the happiness of the people under their care, and to establish their own reputation for good government. It had, indeed, been echoed by the hon. gentleman, from the speech of a noble lord, that it was to the legislature, and the Board of Controul, that the good government of India was to be ascribed: and Mr. Grant said he did not mean to deny that the regulations of parliament, and the administration of the Board of Commissioners, had contributed to that end; but he must contend that the radical principles of the most material reforms which had taken place in the administration of India, were first developed in the writings of the Company's servants there, and adopted by the Court of Directors at home; that it was their province to originate instructions for the administration of affairs in India, and those instructions were submitted to the Board of Controul, who generally acquiesced in them without material alteration. It was not, however, on their character alone, that the Company stood, that came in as a subordinate question. Nor did they argue for the continuance of their privileges merely on commercial principles; although more was to be said for the origin and continuance of them in that view than the hon. gentleman seemed to allow. In their commencement, queen Elizabeth had been the willing patron of them for national purposes, and did not confound the privileges of great commercial bodies with such abuses as the monopoly of particular articles of internal consumption given by patent to private favourites. The Company contended for the maintenance of the existing Indian system, because they thought it was recommended by the true policy and real interest of this country.

The hon. gentleman had said tea was

rendered so much dearer to the consumer here by the exclusive trade of the Company, that it would be better to pay them a million and a half yearly than to continue the monopoly. But this was altogether an exaggeration. The Company neither gained so much by the tea, nor would a free trade, if it could be established, produce the benefits that were supposed. The comparison of the price of teas here, with that quoted from the American market, involved a great deception; for things sold and compared under the same name were in fact very different. What was dignified in America with the title of Souchong, a tea of superior quality, was, in fact, often nothing but what was known here by the inferior name of Bohea. The teas were put up by the Company at little more than prime cost, and all the advance beyond was by competition among the buyers.

The hon. gentleman had very much misstated the ground on which the Company came forward sometimes (not as he said annually) to parliament, for pecuniary aid. They were necessitated to do so formerly because the government had taxed them beyond their ability, on the score of participating in the territorial revenues. All loans of this kind made to the Company had been repaid. Of late the Company had been obliged to apply to parliament twice for the payment of just demands, owing them by the nation on account of advances for the public service abroad; and they had applied on some other occasions to be enabled to defray territorial debt transferred here, which debt had been incurred under the sanction of parliament, and it was well known, never could, in the nature of things, have been discharged out of the home funds of the Company.

Mr. *Marryat* declared, he had never any concern with the East India Company but as holder of stock, and never attended the assembly but once, when he voted with the directors, in a case in which they appeared to him to be in the right. It was true, that the price of tea was raised by the buyers; but then they had no other shop to go to.

Mr. *Grant* said, that this did not force them to give 3*s.* 6*d.* for teas, when put up at 2*s.*

Mr. *Marryat* rejoined, that the Company put up their teas at a price at which they were sure of a benefit, and had besides the exclusive advantage of competition from the buyers.

Sir *Robert Peel* animadverted on the expressions which had been used on a former evening respecting the character of British traders. When the discussions took place on the renewal of the charter in 1793, he had a seat in that House, and was appointed by the northern manufacturers to treat with the ministry in their behalf, and he had in consequence been authorized by Mr. Pitt and Mr. Dundas to inform the manufacturers that great concessions would be made to them, although those gentlemen conceived themselves obliged afterwards to recal their promise. He deprecated the continuance of a state of things by which a trade was forced into the hands of the Americans, to which British capital was adequate. At present he could maintain, that the country was in every respect equal to carry on the trade to India with its own capital; and he would put it to the House, whether the people of Great Britain alone were to be excluded from the benefit of a trade, to the existence of which they so very largely contributed?

Mr. *C. Grant*, jun. said, that he had, on the former night of the debate, explained that he did not mean to apply his remarks to British traders in general, and that explanation it was not necessary for him then to repeat.

Mr. *R. Thornton* reverted to the time of queen Elizabeth for the origin and progress of the tea trade. All the best teas were purchased by the Company, and the Americans, whose participation in the China trade had been so much complained of, only were able to obtain teas of an inferior quality. And such was the confidence which the Chinese, notwithstanding the well-known jealousy of their disposition, placed in the Company, that if perchance bad teas were brought to this country, it was only necessary to send out an intimation to that effect, and to state, that those teas had been sunk in the Thames, to procure a full allowance for the money paid for them. If a promiscuous intercourse was once established, and if sailors and persons of all characters and descriptions were allowed to embark in the trade, and to visit India, the consequence would be, that the confidence of which he had spoken would be completely destroyed; and those advantages which had hitherto been derived from the trade, as it was at present constituted, would be completely lost. Upon the whole, he was firmly of opinion, that the trade could not be carried on with more advantage to the consumer, to the revenue, or to the country, than it was at this moment. When it was said, that our connection with India had made millions unhappy, he would repel the imputation by holding up to view the present ameliorated state of India, and by reminding the House of the profound knowledge of ethics and politics, displayed during the evidence given at the bar, by those who had acted in India under the administration of the Company.

Mr. *Protheroe* said, that the persons from the outports had not demanded the concession of the China trade; and, therefore, he was not disposed to give any opposition to the second Resolution, although he thought the time therein specified for the continuation of the trade, not such as was calculated to give general satisfaction.

Lord *Castlereagh* was of opinion, that the question, as to the limitation of the monopoly, would be discussed more effectually, and in a more satisfactory manner, at some future stage of the Bill, on the bringing up of the Report or otherwise. For the present, therefore, he thought it would be expedient to postpone the consideration of this topic, so that no impediments might be thrown in the way of the House, in proceeding to the discussion of the third Resolution, which involved so many points, of which different and contending opinions might be entertained.

Mr. *Ponsonby* was not disposed to agree with the suggestion of the noble lord, conceiving, as he did, the present as the best opportunity of discussing the principle of the Resolution before the House. He could not comprehend upon what grounds the monopoly of the China trade was to be continued to the East India Company, and thought the time of the Committee could not be better employed, than in inquiring into this subject. The point for decision was not, whether the monopoly in question should be allowed to exist for five, ten, or fifteen years, but whether it should be allowed to exist at all; and for this reason he would object to the arrangement proposed by the noble lord, deprecating, as he did, the existence of the monopoly of the China trade for a single hour.

Sir *J. Newport* was decidedly in favour of the discussion of the Resolutions in detail, and in a committee, as, from such a mode of proceeding, the most material benefits were likely to arise to the House and the country, from the opportunity which was afforded to every member to speak as often as the subject might require. Upon the subject of this branch of the question, he meant the China trade, it appeared to him, that no argument whatever had been adduced, from which the House could fairly infer, that it would be either prudent or expedient to sanction a further monopoly of that trade, upon the part of the East India Company. The House was told, that unless such a measure was adopted, the China trade would be completely ruined: that was as much as to say, that if competition was allowed we should have our teas dearer and of a worse quality than heretofore. This was a sort of phenomenon which he must imagine applied only to the China trade. He did not believe it would be credited by that House, nor did he think that British merchants were disposed to swallow it very easily. But it was plain to observe, that the India Company were desirous to make the people of Great Britain pay for the expense of their sovereignty in the East, and this only was to be effected through the medium of the China trade. If such a principle was now admitted and sanctioned by the House for a further term of twenty years, the consequence would be, that at the expiration of that time a new argument would be afforded for the further continuance of the same privilege, and hence would the India Company become the undisputed and acknowledged sovereigns of the East. He before stated that the vices of the East India Company had been corrected, not by themselves, but by the interference of parliament; and this assertion he now begged leave to repeat. Viewing the state of India in general, and the kind of mixed government by which it was controlled, he did not think that the interests of that country would be more effectually protected by being placed under the direction of parliament than by remaining in the hands of the Company. He was the decided enemy of monopoly in every form, and he saw no more reason for carrying on the China and India trade under such a system, than he did for adopting a similar plan, with respect to the Baltic, the Turkey, or any other trade. In fact, nineteen-twentieths of the arguments which had been adduced, only went to convince him of the impolicy and evil tendency of longer binding up the Indian trade in fetters. Upon those general principles, he would oppose the whole Resolutions, but more particularly that respecting the China trade.

Mr. *Baring*, after the most attentive inquiry, was convinced that the confinement of the China trade to the Company was highly expedient, but before he entered upon this part of the subject he vindicated the advocates of the Company from the assertion that they had employed an unwarrantably imperious tone in proclaiming the merits of the present rulers of India. In the committee, several grounds were taken to prove, that the monopoly of the China trade ought to be continued, but principally it was urged that the commerce with the Chinese could only be conducted with safety and advantage through the Company by means of a monopoly; that the general principles of commercial dealings could not to them be applied; that their government, their manners, and their jealousies were anomalous, and that no traffic could be conducted with individuals in the usual routine of trade. It was known to all who knew any thing upon the subject, that the emperor of China, in consequence of his fixed opinion that commerce was unnecessary, had confined it to one port and to one season, and required that some ostensible responsible person, such as the agents of the Company, should be present to conduct it. Another motive for confining this branch of the trade, was the facilities obtained and employed by the Company for introducing British manufactures in large quantities among the natives, facilities that could not be allowed to private adventurers. A third argument for this resolution was, that if it were not adopted, the revenue would most materially suffer, and in support of this position, Mr. Baring referred to the testimony of several witnesses who had asserted, that the defalcation might perhaps be to the extent of three-fourths of the present produce of the tax upon tea. The only question in his mind was, whether the government had made a sufficiently advantageous bargain for the country? If it were true (as he believed it was,) that if put up to auction, half a million per annum might be obtained for this exclusive trade, it might be asked, why is not the East India Company called upon to give what would willingly be afforded by others? To this question he had not heard any answer completely satisfactory, and the formation of a contract so disadvantageous to the nation, seemed to imply that the government of India was so bad a thing, that the Company was entitled to a *bonus* of half a million annually to induce them to continue it. He concluded by affirming his strict impartiality.

Mr. *Ponsonby* objected to this monopoly entirely: and in point of principle, he had no doubt, those who proposed a more limited period agreed with him: for, unless the thing was improper in itself, why continue it for ten rather than twenty years? Their object no doubt was, to produce a compromise between the government and the Company, which he could not approve. He did not mean to reproach the Company; but when it was said, that the beneficial regulations in regard to India originated with them, he could not help just reminding those who made that assertion, that the Company exerted all its force and influence to oppose regulations which their servants recommended. He would ask what had been their disposition towards that excellent man, sir Philip Francis, when he suggested those reformations which Mr. Fox and Mr. Burke had been so instrumental in carrying into execution? But then it was argued, that the Chinese would only trade with the Company: he really never heard before that one of the peculiarities of the Chinese was, that they would trade with nobody but monopolists. They traded with the Americans, and the Americans were not monopolists. The monopoly, it ought to be observed, did not confine itself to the article of tea, it extended to silks and other commodities. It had been alleged that the monopoly of the China trade was necessary to the due administration of India; but he believed there were other reasons. The Company had ostentatiously stated, that they were losers on their Indian trade: but it was singular that they should be so anxious to continue a trade by which they were losers. They, however, demanded the monopoly of the China trade, in order that though they lost by their India trade they might be gainers on the whole. But there was another reason: perhaps if they were to look very closely into the affairs of the Company, they might find that the Company would hardly be able to pay their dividends of ten per cent. on their stock, unless they obtained this trade: and to this consideration the general interests of the country must be sacrificed. Another reason was, that the patronage of China was more valuable than any other. The appointments there were a sure road to fortune, and it was not surprising that the directors should be anxious to retain this certain mode of providing for their relations and friends. But this was no reason why the public should grant this advantage. It had been then argued, that the revenue would suffer. But he always understood that the best means of increasing the revenue was to throw open the trade. It was bad political economy to restrain the general improvement of trade for the sake of raising a little more money upon a particular article. In regard to the necessity of having factories, and persons of authority and dignity in China, he asked whether his Majesty might not send a consul and dignified officers as well as the Company. The political ought to be separated from the commercial character of the government, instead of allowing the Company to carry it on in the several capacities of sovereign, trader, and monopolist.

Mr. *Bathurst* observed, that nobody had ever contended, that the Chinese would only trade with a monopolist. The argument was, that the trade could be best carried on by a great Company, from the peculiar character of the Chinese. They might trade with private individuals; but then circumstances were more likely to occur to annihilate the trade entirely. The American trade with China, was therefore much more precarious than our's. The right hon. gentleman, who spoke last, had likewise forgot this material circumstance, that the Company had the power of introducing our commodities to China to a much greater extent than any private individuals could do. The stamp of the Company was the passport for these goods. The confidence which was reposed in the Company, was among such a people of the highest importance, and we ought not rashly to deprive ourselves of the advantages resulting from that circumstance. The Company had introduced payments in British commodities into a country which had always before been considered as the peculiar drain of the precious metals. In regard to the remark about the factories and officers of the Company in China, he agreed that his Majesty might send a consul; but he denied that in China he would be held in so much consideration as an officer of the Company. In a place where our country was known, the feeling would be different; but in China our country was but very little known, while the Company had established its character there for respectability and integrity.

Mr. *Ponsonby* denied that he had ever said the monopoly of the China trade was intended as a compensation for the mismanagement of Indian affairs. He had merely observed, that it was given as a compensation for the trade to India, which was represented to be a losing trade. When it was asserted by the right hon. gentleman, that there was a risk of losing the trade to China, by the misconduct of the private trader, he could by no means agree to such a proposition. He could not view the private traders in so dangerous a light. But if, as the right hon. gentleman had asserted, the Company had such immense advantages over the private trader; if, as he asserted, the Chinese would trade with none but the Company, why should a competition be opposed, which, if his argument were correct, could not at all injure the East India Company, because the natives would purchase from none but them? His argument, then, resolved itself into this, that great danger would arise from the misconduct of the private traders. Now, he never could admit the proposition, that the private traders were likely to conduct themselves in such a manner as would ruin their own interests, as well as those of the East India Company.

Mr. *Bathurst* adverted to an instance in which a merchant sent out articles to China, equal to any exported by the East India Company, and by no means dearer, which he was unable to sell, the merchants declaring they would purchase only from the Company. It was true, there was no great competition; but this might be looked upon as a specimen of what was likely to be the result of trading speculations to that country.

Mr. *G. Phillips* said, he should be glad to know, if goods were sent from this country by private merchants, with the same marks upon them as those made use of by the Company, would they not be received equally well as if they absolutely came from the India House? With respect to the facility of trading with China, he could state this fact to the House, that the first ship which reached the river of Canton from America, did not carry out specie enough to pay for her cargo; but the Hong merchants absolutely supplied the new traders with the means of purchasing the necessary commodities. It was the

Hong merchants who became responsible for the good conduct of the traders; and, if they were willing to become responsible for the Americans, he could see no difficulty to prevent their being equally friendly to the private merchants of England. The sum paid to the country for this monopoly, was about 500,000*l.* per annum. He, and several friends of his, would be very happy to give twice that sum for such an advantage. By a reference to the London and New York Prices Current, a difference of no less than 85 per cent. would be found in the sale of teas of a similar quality. It might be said, that the American teas were of an inferior description; but certainly the Americans declared that they were of a superior quality, compared with those imported into Great Britain. The hon. gentleman then adverted to the great profit which the Company made by allowing the commanders of their ships to traffic in tea; and those very commanders, after paying duty and all incidental expences, were such considerable gainers, as shewed at once the immense advantage which individuals would derive from a participation in the China trade. He then defended the character of the British merchant, the British seaman, and the British agent, who, for the purpose of shewing the danger which would result from a free trade, had been described as ruffians and raggamuffins; and in conclusion, argued at length to prove that the fears entertained of an increase of smuggling, if the trade were opened, were not well-founded.

Mr. *Forbes* stated, that, according to the present policy of the Company, their commanders were not permitted to take out woollens, tin, and several other articles to China. He hoped this system would be abandoned, and that the commanders would be allowed to carry out as much British manufactures as possible. If permission were given, many of them, he believed, would dispose of eight or 10,000*l.* worth, on every voyage.

Lord *Milton*, though he was willing to concede much to the East India Company, could by no means agree to their retaining the monopoly of the China trade. With respect to India, he allowed that a great deal was due to them: they had spent much treasure, and much blood had been spilt in securing that territory; but no argument of this kind applied to China. Those who called for the trade with that country must run the risk of a refusal on the part of the Chinese government. They, in fact, demanded nothing which the legislature could absolutely grant, as it ultimately depended on the will of others. To those who desired to have that trade confined to one port, as an emporium, he would put this question, whether it would not be better to extend the benefits of the trade to the whole country, than to restrain it to one particular point? An argument against opening the trade, had been deduced from the nature of the Chinese government, which was hostile to commerce; but was it not strange, that the Chinese government should permit the residence of the agents of a commercial company, and not suffer the agents of free traders and the representatives of a monarch, to come within their territories? The country could no longer avoid opening the trade, and the arguments of those who were for continuing the monopoly for five or ten years longer, would be as good at the expiration of that period as they were now. He would vote against the Resolution, in the hope, that the demand for British manufactures in China would, under a free trade, increase to an almost incalculable extent.

Mr. *Canning* said, that he did not wish to enter into the subject, as it would be more convenient to discuss it in another stage; but as the Committee was likely to come to a vote on the Resolution, he wished to say, that if he did not vote against the Resolution now, he by no means engaged not to oppose the continuation of the China monopoly for an indefinite period, or even for six months after the expiration of the charter. All his vote would say was, that he did not wish immediately to abolish the monopoly. He was by no means convinced that the monopoly was necessary to China or to the India Company. America had carried on a large trade with China; in consequence of the war with that country a vacuum was created, which it would be necessary to fill up with free trade from Britain. He purposely abstained from entering into the question, but he would vote for the Resolution.

Lord *Milton* said, this was the moment for throwing open the monopoly, when we were at war with America.

General *Gascoyne* said he should vote for the Resolution, in the understanding that the monopoly should be continued only for a short period.

Mr. *Finlay* would also vote for it, on the consideration of there being no restriction in point of time.

The Resolution was then put and carried without a division.

Lord *Castlereagh* said, as the third Resolution embraced such an extensive field, there was little prospect of coming to any decision on it that night. As the Resolution was complex, it would be advisable to consider each provision as a separate question. He wished, therefore, to open the discussion with the first branch of the Resolution, and the debate on it might be carried on to a reasonable hour. He wished at present merely to call the attention of the House to those supplementary regulations in the Resolutions which did not stand in it as originally framed. One great feature, not in the former, was the restriction of the intercourse between the British and the people of India. This intercourse, he thought, should be subject to all those controuls which had been found adequate from time to time. One other leading branch of regulation was, with respect to the strengthening the hands of the Company, to enable them to guard against any abuse of intercourse. This principle existed in the law as it now stood. At present they could send home any person whom they conceived to be dangerous to the tranquillity of the country. He wished to follow the same principle, however, still farther, and to establish a proper controul over Europeans in the interior of the country, so that protection might be immediately given to the natives without the delay and inconvenience of an application to the supreme courts of the country. In the course of the Bill he would offer additional regulations for that purpose. He would proceed now to the particular branch of the Resolution.

After a desultory conversation, in which lords Milton and Castlereagh, Messrs. Ponsonby, Robinson, C. Grant, Huskisson, Stewart Wortley, and Wynn, took a part, the several Resolutions, up to the 12th inclusive, were agreed to, with the exception of the 7th and 8th, which were postponed in consequence of a solicitude expressed to afford more time to the Court of Directors, and the shipping interest of this country, to consider these Resolutions which refer to the employment of India shipping. The 13th Resolution, which relates to the introduction of Christianity into India, was also postponed for further consideration, in consequence of their recent introduction to the notice of the House. Upon the subject of these Resolutions lord Castlereagh expressed a wish that such a delicate question should be as little discussed in that House as possible, but that the arguments connected with it should by those who were agreed on the main points, be left to the discussion of that Board of Controul, which was invested with the power of superintending the government of India, by which Board he had no doubt that adequate provisions would be made to meet the views of the House.

The House having resumed, the chairman reported progress, and obtained leave to sit again this day.

HOUSE OF LORDS.

Wednesday, June 2.

IRISH MALT DUTIES BILL.] Upon the motion for the third reading of this Bill,

The Marquis of *Lansdown* solemnly protested against the policy and justice of the measure, inasmuch as it would encourage the lower orders to relinquish the use of malt liquor, and have recourse to the use of spirituous liquors, He also contended that such an alteration in the habits of the people, would eventually produce great detriment to their health and their morals. In addition to these remarks, he further observed that the increase of the malt duties would consequently decrease the income of the revenue. He instanced this in the late increase of the malt duties in Ireland from 7*s*. to 10*s*. and also noticed the addition of persons in fever who entered the hospitals at the time. Increasing the duty to a greater amount would operate with the same pernicious tendency. Under these circumstances, he hoped their lordships would defer the third reading for three weeks longer, when he should have an opportunity of adducing such additional information as would convince them the measure was one of the greatest impolicy.

The Earl of *Liverpool* regretted that the noble marquis had not taken an earlier opportunity of stating the objections which had now been proposed to their lordships' consideration. The 10*s*. duty, of which the noble marquis complained in Ireland, was 1*l*. 5*s*. in England. He did not apprehend the consequences which had been represented. He could also assure the noble marquis it was the intention of government to propose an additional duty on spirits, which he believed would counteract the anticipated evils of the present Bill.

With every respect for the noble marquis's suggestion, he was convinced it would be impossible to relinquish the duties proposed, and therefore he must persist in moving that this Bill be read the third time.

Upon the question being put, the Bill was ordered to be read a third time and passed.

HOUSE OF COMMONS.

Wednesday, June 2.

Kent Gaol Bill.] Mr. *Calcraft* rose to bring forward the motion of which he had given notice for the minutes of evidence taken before the committee on the Kent Gaol Bill. He commenced by describing the plan on which it was intended to build the New Gaol, and proceeded to shew that the expence would be enormously great, and enormously more than was necessary. He then noticed the arts which had been resorted to, for the purpose of making this plan appear to be that of the magistrates of the county, though it by no means deserved that character, as the number of magistrates who had given it the sanction of their names, did not amount to thirty. Though the plan had been sent round by a special messsenger to the whole magistracy of the county, he (Mr. Calcraft), understood it had only gained the support of 22 of the magistrates. The present plan would, if carried into effect, cost the county 250,000*l.*, while every thing that was requisite might be obtained at the expence of 100,000*l.* He admitted that a new gaol was wanted, but not such a one as it had been proposed to erect. It was not to the erection of a gaol that he objected, but to that wild and useless expenditure which was contemplated. He wished a prison to be built large enough to contain all the prisoners it was thought it might be necessary to send to it, but he did not wish one to be raised which would cover 18 or 19 acres of ground; and which would be large enough to hold a greater number of prisoners than had ever been confined at one time in the county. Why it had been proposed to build a prison which would contain so large a number of persons, he could not tell. When the question was put to the architect, he had answered that the number was taken from a book; and when asked where the book was, and desired to point out that of which he had spoken, his answer was, that the books were so large, he could not immediately turn to that which those who interrogated him on the subject wished to see. This was not the way to do business. The contract stated to have been made was in no respect satisfactory. There might be a contract, but there was no security; nothing to assure them that its conditions would be properly fulfilled. Every thing connected with the subject was irregular and unsatisfactory. The greatest extravagance appeared in the building estimates. There were houses to be built for the turnkeys (three in number) and the expence was to be 9,675*l.* The turnkeys were thus to have a house worth 3,000*l.* each. The chaplain was also to have an expensive house built, and the house of the gaoler was to cost no less than 8,475*l.* This was an expence which, if it had appeared in the ordnance estimates, or in the army or navy estimates, that House would feel it to be its duty to institute some inquiry into the subject, and he thought it was that which in the present case ought not to be passed over. He did not object to building houses for the turnkeys, but he did object to building such as had been projected. The gaoler, if this plan was carried into effect, would be accommodated with a better house than a Lord of the Admiralty; for he believed his friend opposite, who was one of the lords of the Admiralty, was not provided with a house worth 8,475*l.* He wished a house to be built for the gaoler, and he wished that house to be respectable, but he did not see that it was necessary for him to be better accommodated than the lords of the Admiralty. He then noticed the great increase of the county rates to meet this expence. These were raised from 10,889*l.*—to 36,476*l.* Those who were called upon to pay this, had heavy taxes to pay, which were imposed by the minister of the country, for the service of the state. Surely then, they ought to be protected against such excessive taxation by others. Nothing could be more offensive to the county of Kent, than to be taxed in this manner; and he could take upon himself to state, that the taxes thus laid on, caused more dissatisfaction than even the property tax. It was proper that the prison to be built should be airy and spacious, but it was not necessary that it should occupy a domain of eighteen acres of land. This, he supposed, was to give sufficient space for all sorts of games to be carried on within it. In this plan a circular wall was made to consume four acres of ground, and altogether he thought the plan one of the wildest that had ever been framed. In order to collect a sufficient number of persons to occupy this gaol, it was intended to pull down the old bridewell at Dartford, and remove it to Maidstone.—This would cause about 120 additional prisoners to be annually sent to Maidstone, and thus the county would be put to the expence of conveying most of these persons thirty miles, instead of about ten. The bridewell at Dartford it appeared on a survey recently made, might be repaired and made most useful. And at what expence could this be done? It could be accomplished for 3,500*l.*! Yet this plan was rejected. He (Mr. Calcraft) felt he had taken up too much of the time of the House on this subject, but it arose from his anxiety to make them thoroughly comprehend what a precious undertaking that was, which it was intended to carry into effect. If the plan of Mr. Alexander were realised, the county of Kent would be put to the expence of 350*l.* for each prisoner. He hoped the House would look to this, and supply an effectual remedy. He and those who acted with him were desirous that a prison should be built offering all the advantages of Mr. Howard's plan. What they wanted was, inspection, separation, ventilation, and security; and room for such a number of prisoners as the county was likely to have to take care of. They wished the prison to have court houses attached to it. These they thought necessary, but these they contended could be erected with the gaol for 100,000*l.* with every necessary convenience. It was proposed to do this in the Bill. They were willing to erect such court houses, &c. as would be useful and becoming, but they objected to an unnecessary enlargement of the expence, when for the sum which he had mentioned they could obtain all that was wanting, and build a prison which would give perfect security, and do credit to the county. Under these circumstances he hoped the motion, with which he was about to conclude, would be agreed to, that the House might see on what evidence the decision of the committee on the Bill was founded. He then moved, "That there be laid before the House, and printed, a copy of the minutes of evidence taken before the committee on the Bill for building a new jail in the county of Kent, with a bridewell and court houses, and for imposing a new rate on the county to defray the expences thereof." He wished in the present instance to have the minutes taken in the committee laid before the House, intending to found a motion on them, for revising the decision come to by that committee.

Mr. *John Smith*, in seconding the motion, was anxious to offer a few observations on this subject, having had an opportunity, which but few members had, of witnessing the effect produced by the rates imposed on the county. In the parish in which he resided, the gentlemen, very honourably to themselves, served in rotation the principal parish offices. It had come to his turn about three years ago to fill one of these, in which it was his business to collect the rates imposed. The distress and consternation which every where appeared when he applied for it, was excessive, and the difficulty of collecting it immense. He had paused in the collection of it, to communicate this to one of the magistrates of the county, and to request instructions how to act. The answer of the magistrate was, that the money must be paid. The rate was according collected, but the distress which it had occasioned had made a great impression on his mind; for in addition to the property tax, and other heavy taxes imposed by the necessities of the state, a county rate of five per cent. was imposed on the landholder; which the poor farmer, whose interest in the land expired with his lease, was obliged to pay, while the owner of the land paid nothing. One of the objects of the Bill brought in had been, to do away this, and to divide the county rate, equally between the occupier and the proprietor of the land. This had been thrown out, but if the evidence called for were laid before the House, he looked for a very different result. He would not take up the time of the House long, as more urgent business called for their attention, but he wished to make one observation on the plan of the magistrates, for pulling down the bridewell at Dartford. The population of that part of the county near Dartford, amounted to 90,000 persons. Was it then right that there should be no place of confinement nearer than Maidstone? Ought every disorderly person, every loose woman, every petty offender from Deptford, Greenwich, or Woolwich, to be sent all the way to Maidstone. The pulling down the bridewell at Dartford, furnished of itself a great objection to the plan, imposing as it did on the county the necessity of carrying many offenders 25 miles, whom otherwise it would only be necessary to move a very short distance. A question arose as to the law—whether so small a portion of the magistracy as that with which this plan had commenced, were warranted in doing what they had done? He was warranted in saying (and he said it on very high authority), that it was not believed they would act thus according to law. With this impression a large portion of the county of Kent would refuse to pay the rate—would go to law, and the consequence might be, that that great county would be thrown into the utmost confusion. He trusted the House, consulting justice, would avert this evil, and he therefore hoped the motion would be agreed to.

Sir *William Geary* said, the question before the House was simply this, whether after referring the subject to a committee, which had given it the fullest investigation, they would take upon themselves to reverse that decision, which upon mature deliberation, the committee had come to. It was impossible to be silent after what had just been stated. The hon. gentleman had told the House of the great distress which he had witnessed, when collecting the county rate. He ought to have stated to the House that at the time that rate of one shilling in the pound was raised, it was to meet the first expences, which necessarily caused a larger rate to be imposed, than was afterwards wanted. No subsequent rate on account of the gaol, had been, or would be, more than threepence in the pound, so that consternation and alarm which the hon. gentleman (Mr. J. Smith) had described, could no longer be supposed to prevail in the county. He admitted that there was some excess on the estimates, but contended there was no want of responsibility.—With respect to what had been said on the subject of the bridewell, he approved of the plan as it related to that, and he thought the magistrates wise in wishing to have but one place of confinement in the whole county, and that one under the direction of one person. The benefits of such a system he instanced in the county of Gloucester, and he contended the discipline of those gaols was much better, where they had a considerable number of prisoners; than that of those where they had but a few. He would not trouble the House further, as very important business was before it. But that this Bill should be re-committed, he thought they would agree with him was quite unnecessary. The committee had sat on it 17 days. It had been attended by those who were most competent to give information on the subject. After giving it the fullest consideration, the committee had divided near a hundred members, which he believed was considered a pretty full attendance. To institute further proceedings on the subject; to refer the Bill again to a committee for the purpose of endeavouring to reverse the decision which had been come to, appeared to him to be that which the House could not do.

Sir *Egerton Brydges* was unwilling to intrude on the patience of the House by dwelling on a local subject at a time when a most important national question called for their fullest attention. But there was some thing so extraordinary in the present motion, and so extraordinary, as he conceived, in the assertions and arguments of the hon. mover, that he felt himself absolutely compelled to say something on the subject, however reluctantly; yet, it should be done with a brevity which ill calculated as it was to furnish the full answer to the speech of the hon. gentleman, which he trusted he was completely prepared to give in all its parts, might be deemed better to become him, and the respect due to the more imperious concerns of the House at such a moment. The silence he should say, it would be impossible for him to refrain from, after having attended the committee for 17 days, during which he had given the matter all the consideration that his industry and understanding could command. The result upon his mind of that painful investigation was this, that no one of the allegations in the preamble of this Bill had been proved; but not only had they not been proved, they had been decisively and irresistibly disproved. What were those allegations? First, that the plan and estimates were unnecessarily extensive; far beyond the wants of the county, and unnecessarily costly, and ornamental. Secondly, that no contracts had been made, according to law, for the completion of the buildings. Thirdly, that they would throw a heavy and grievous burden on those who had only a temporary interest in the land, partial and unjust, and such as called for the interference of parliament, to place a portion of the expense on the landlords. Now, how had these allegations been made out?

Why, as to the extent, it was pretended, that the provision, which had been planned for 450 prisoners, ought only to have been for 331—because they stated this last to have been the maximum of the co-existing numbers of those which had hitherto been confined in the present gaol, bridewell, and house of correction. But, to say nothing of the inaccuracy of this total, it proves nothing; if true, it lays aside the leading improvement in Mr. Howard's principles of gaols, the principle of classification! That enlightened and benevolent principle, most important to the security, the morals, the reform, and the health of the prisoners, is the leading feature of that admirable plan now complained of; and on that principle it would be found that if there was a fault in the plan, it was not because it was too extensive, but because it was not extensive enough fully to embrace it. The maximum of classes was found to be 588; the plan adopted provided for only 450; so far is it from having carried the principle to an extreme. But how could the smaller or mixed total, as insisted on by this Bill, have in any degree, even the smallest, met this principle? Could the surplus of one class be turned over into the division provided for another? If so, the principle and practice of classification is annihilated. But if the plan be not too large, may not the charges of executing it be too extravagant? So far from it, that, though an attempt was made by shewing the expences of other gaols to establish improvidence here, yet a minute investigation after the admitted allowances for the comparative increase of prices in all articles of building, proved the direct reverse, and from the testimony of the ablest professional men, it appeared that every thing had been contracted for as reasonably as was consistent with its being done well and substantially. As to ornament, there was not a single thing about the building as adopted, which had been done for ornament; nothing but for its usefulness. It was in evidence that this calumniated plan, so far from being wanton, whimsical, thoughtlessly costly, and uselessly large, was approved, praised, and beheld with unqualified admiration by several eminent architects, themselves engaged in great national concerns, who all came forward to give their unqualified approbation of the skill, the science, the genius, the severe simplicity, with which this model, so far exceeding any hitherto promulgated, had been contrived. The next allegation, that the magistrates had not attended strictly to the provisions of the Act from whence they derived their power, was equally unfounded. He would venture to assert, in defiance of contrary opinions, that after the ablest discussion of this point by the counsel on both sides, it was clear beyond rational dispute, that the construction given by the magistrates to this Act was true and just in reason, in law and in expedience. There is nothing in the statute to bear out the other constructions given. To insist on the necessity of one contract for the whole was to insist on what the counsel themselves gave up. To insist on simultaneous contracts was impracticable, nonsensical, and without a word in the Act to ground such an interpretation on. The third allegation about the grievous burden on the occupiers, which demanded parliamentary relief, was shewn to be ill-grounded in fact, and objectionable in principle. What was this mighty and ruinous burden? Why, the whole cost to an occupier of 100*l.* a year, was an annual payment for twelve years of 1*l.* 5*s.* making in those twelve years the vast and overwhelming charge of 15*l.* And what would the proposed limitation of the plan save him? Why 6*s.* 3*d.* a year during that time; and in the whole twelve years 3*l.* 15*s.* Such were the allegations on which this very extraordinary Bill had been formed; a Bill that went to throw on a bench of magistrates, as high in rank, in character, in property, in anxious attention to their public duties, in cultivated minds, and in industrious regard to the good of their county, as any in the kingdom, the grave and odious charge of having misused the public purse committed to their care, of having ignorantly misconstrued the law they had so carefully guided themselves by, of having lavished, in useless and childish ornaments, those funds committed to their trust for the severest purposes of the correction and reform of frail humanity when borne down by misfortune, or submitted to the rod of justice. A committee, after 17 days of painful and scrupulous attention in examining numerous witnesses, and investigating volumes of written evidence, have resolved that these grave allegations have not been made out. Will the House again entertain this question? Will they still keep magistrates, who have proved they deserve so well of their country, under the suspense of this calumnious charge?

Will they load thus their table and waste the public money in printing evidence so voluminous, from the idle hope that a committee may reverse its own decision, so maturely verified, and he would venture to repeat, so triumphantly borne out by that evidence? To what would such a precedent lead? To what endless litigation and expence in the future business of this House? What a door would it open to uncertainty, to intrigue, and to that loss of respect which always follows conflicting and opposite decisions? This was all he would trouble the House with on the present occasion. A minuter examination would more irrefragably have established the opinions he had formed on the case; but the example of the hon. mover of this question should not tempt him, at this time, so far to trifle with the patience of the House, however prepared he was, and however at a less busy period he might think the replies with which he was ready, deserving their attention, as affecting both principles and conduct, which, in their results, extended far beyond mere local interests.

Mr. *Western*, in rising to offer a few observations on the question before the House, rose with the intention of giving the motion his full support. If opposition were intended to the Bill, it ought to have been gone into on the second reading. The question on which the committee had come to a decision involved a principle which he contended ought to have been met on the second reading of the Bill. The preamble of the Bill ought then, if at all, to have been debated. The Bill had his cordial support, and he trusted it would in the end meet with the approbation of the House. They had heard that they ought not to oppose that which came from the wisdom of their magistrates, but they did not know their magistrates to be infallible. The estimated expence of the new gaol, he was of opinion greatly exceeded what it ought to be. It was proposed that the erection of a prison should cost the county 250,000*l.* He saw nothing in the expences of other counties to justify this large expenditure. The whole expences of the county of Essex for the last ten years did not amount to the interest of the sum just named, and which appeared on the estimates. The whole of this charge, enormous as it was, it was proposed most unfairly to throw on the occupiers of the land. In a similar case which had occurred in the county, where an expence of 25,000*l.* was incurred, it had been thought proper to divide the burden between the owner and the occupier of the land. Why was this practice departed from in the present instance? If this charge of 250,000*l.* were thrown upon the occupier of the land, it could not be thought that it would ever be paid off. The Bill had had his support, and he conceived it to have been well entitled to the approbation of the House. He hoped the motion would be agreed to, and that the minutes taken before the committee would be laid on the table.

Mr. *Marryat* remarked, much had been said in the way of complaint of the appeal now made to the House. He hoped he should never see the day when no appeal was left to those who felt themselves aggrieved. The reasonableness of the present appeal, he thought would soon appear. With respect to the estimates, it was admitted by the hon. baronet, that there was some excess on them. Of such excess he thought the country had much to complain, when they saw it was intended to give 7,000*l.* of their money for a portico, and that another great expence was to be incurred by a covered way, where the ladies and gentlemen confined might amuse themselves, when the weather was so unfavourable as to prevent their entertaining themselves in the open yard. The mode in which, till of late, the county had been assessed to meet the expences of erecting or maintaining prisons, &c. had been to throw one half of the charge on the owners, and the other half on the occupiers of the land. In the present instance however, the whole was thrown on the occupiers, and the owners were entirely exempted. If they wanted to get a right, good, and truly magnificent dinner, the way to obtain it was, to make one set of people pay for it, and another order and partake of it. Acting on the same principle, the magistrates had ordered a fine prison to be built, and left others to pay for it. These magistrates, who were large land-owners, had ordered the rate to be paid by the occupiers of the land, and thus exempted themselves from bearing any part of the burden which they brought on the county. In the parish in which he lived, the increase of the rates had caused great dissatisfaction, and many petitions had been drawn up and presented on the subject. The immense increase which had taken place, could not but be severely felt by the inhabitants. He would state what the rates had been in the parish of Lewisham, and what they now were. They amounted in 1806 to 82*l.* 10*s.* In 1807 they rose to 240*l.* and in the last year they came up to no less than 1,252*l.* odd shillings?—He put it to the House if it was not hard that the county should be thus oppressed; and he could take upon himself to say, that these rates caused more dissatisfaction than all the taxes imposed by government for the service of the state. They excited more discontent, because it was known that they were unnecessary. No answer had been given to the representations made by the inhabitants of the county, till the subject was brought forward in that House. He should have thought the magistrates whose duty it was to keep the peace, would have held it to be a part of their duty not to persevere in that which so much disturbed the county. When the estimates of Mr. Alexander were touched upon, it was said that sufficient contracts had been entered into. But what ought a contract to be? it ought to be an engagement in writing, which if required could at any time be produced by the clerk of the county, to enforce the completion of the works to be commenced. Now would the contracts entered into do this? They would not. When the contractor was asked if all the buildings would be completed, when the conditions of the contract were fulfilled, he had answered in one word "No." Why then from this it was clear, that all the proceedings which had taken place, were irregular and unsatisfactory. Under all the circumstances of the case, considering the great importance of the subject, remembering that it had been admitted that it was one which deserved further consideration, he trusted the House would accede to this motion, and that they would take into consideration all that had passed, when the minutes of evidence were produced.

Mr. *Wynn* contended that the proceedings which had taken place on this subject were not contrary to law. It had been said that the committee decided on the principle of this Bill, by the preamble, and that this ought to have been objected to on the second reading. Why was it not objected to on the second reading of the Bill? Because it was thought it would be but fair to let it go to a committee that they might hear evidence, on which they could with propriety found their decision. The plan had first been appealed against to the magistrates. They decided in favour of it. An appeal had then been made to the House of Commons, by whom it was referred to a committee. That committee sat seventeen days, and after giving the subject the fullest investigation, they came to a decision unfavourable to the opponents of the plan; who now came to call for the evidence on which that decision was founded. Could those who had supported the Bill, think that if this motion were agreed to, it would be possible for the Bill to pass this session? Would it not then be to perpetuate the existing differences in the county, to persist in making the attempt? If the motion were acceded to, when they saw how busy the printers were in preparing East India papers, &c. it could not be expected that the minutes would be printed in less than sixteen or seventeen days. After that there must be a motion for a committee on the subject, and then they would have the Bill to do all over again, so that it was impossible to think it could pass that House before the end of the month, and sent to the House of Lords, at so late a period, could it reasonably be expected to pass in the present session? It was said the whole expences of the county of Essex in ten years did not equal the amount of the interest of the charge thrown on the county of Kent. This was unfairly urged. The county of Essex had a gaol already built. Had a similar comparison been made with the expences of the county of Essex some years ago, when it was differently circumstanced, the result would have been of an opposite nature. On these grounds he objected to the motion; and saw no reason for laying the evidence given in the committee before the House.

Sir *Edward Knatchbull* rose to offer a few words on the motion, and few they should be, for he was not in a situation to trespass long on the patience of the House. This motion seemed to be regarded as an attack on the magistrates of Kent. Had he had such an idea of it, he would have been the first to oppose it. There was no reason whatever for entertaining such an idea. The number of magistrates in the county was 142, and this plan had been signed by 22 of them. In addition to this he could state a circumstance which came within his own knowledge, which was of some importance.

The paper signed by these twenty-two magistrates, had been sent round by a special messenger to all the rest, but no more names could be procured than the number he had mentioned. From this, it was clear, that the magistrates generally were not favourable to the plan. The great body of the magistracy had not coincided with those who signed the Petition, though afterwards they, acting in the manner which became them, did not think proper to set themselves in opposition to their brother magistrates. This was the view which his honourable friend who had brought forward the present motion, took of the case. He conceived there were two propositions which might have been submitted to the House on this subject. The one was a proposition to resume the committee; the other, that which was embodied in the motion before the House. He was not quite sure that it would not have been better to move that the committee should be resumed, than to move for the production of the minutes of evidence, taken before the committee. Saying this, however, he wished distinctly to be understood to support the motion of his honourable friend. He had one other circumstance of some moment to state. Before the committee closed its sittings, several papers on the subject were called for. These were not forthcoming. Whether or not they might have been forthcoming, he could not say, but this he could say, the committee had risen, and the papers were not produced. Whatever might be the cause of their not being given to the committee, he thought the fact itself, furnished an additional reason in favour of the motion. It would be a painful duty to examine the clerk of the county a second time; but under all the circumstances he trusted the papers would be granted.

Mr. *H. Lascelles* did not look upon this to be a question, raised on the principle involved in the preamble of the Bill, which had been brought in, the question appeared to him to be this—whether the county should be guided by a division of the magistrates, or by the whole. This was the question on which the House had to decide, and their decision would not merely affect the county of Kent, but it went to affect all other counties. The line of conduct pursued by the magistrates when complaints were made of the amount of the rate, had been censured, but the main question submitted to the House was—whether the county of Kent should be governed by one part of the magistrates, or by the whole.

Mr. *Lushington* was of opinion, that agreeing to this motion would do more towards restoring the county to tranquillity, than could be hoped from the extinction of the Bill. To do this was most desirable, for he was sure that for the last year the county of Kent had been in such a state as loudly called for some legislative measure. He had endeavoured to put an end to this state of things, but without success. The hon. gentleman proceeded to state the steps which he had taken to settle the existing differences, and to narrate the circumstances which had caused them to fail. He concluded a speech in favour of the motion, by declaring himself to be quite satisfied that there would be no peace in the county, till some legislative measure had set that, by which it was at present agitated, to rest.

Mr. *Pole Carew* said, if the gentlemen who had spoken on this subject had attended the committee on the Bill, they would have seen what had influenced the decision come to, and have spared some of the observations which had just been thrown out. An attempt had been made to show the magistrates in an unfavourable light. Their conduct did not merit censure. The contracts made ought to be regarded as satisfactory. In the estimates for the buildings, there was not set down one shilling more than was necessary to do the thing in the best possible way. This would be seen if these estimates were compared with those of other works. The projected prison would not cost more than the mad-house now erecting in St. George's fields, and the expence to be incurred fell short of that of the penitentiary-house, which was carrying on at this time. The gaol to be erected would be the best thing of the kind in the country. Directions had been given to erect it at the least possible expence (making it all that was wanted) and to build it without adorning it with useless decorations. Those gentlemen who had this day offered to the House the inflated statements which had been heard, had not properly given their attention to the subject. They ought to have attended the committee. As they had not done so, he was not surprised at the tone which they had taken on this occasion; nor was he surprised to find them so anxious to take the business out of the hands of the committee, to pass a new judgment on it. Great pains had been taken to make the House believe that no wish existed in any quarter to disgrace the magistracy of the county. But would any one say the magistrates would not feel themselves disgraced, if the present motion were carried? In his opinion the proposition before them was one which it would be very improper for that House to adopt. He had no particular objection to the production of the minutes taken before the committee, if nothing more were intended; but the object of the present motion was not merely to get these laid before the House; as the hon. gentleman had said he meant to follow it up by a motion for revision.

Mr. *Marryat,* in explanation, adverted to what had fallen from the last speaker respecting the absence from the committee, of those gentlemen who this day supported the motion before the House. He for one had regularly attended the committee, and if the hon. gentleman had not seen him there, it must have been through his own (Mr. Pole Carew's) absence or inattention.

Mr. Serjeant *Best* thought the proceedings of the magistrates in this business, might be arraigned as illegal. If they entered into a contract, they ought to have demanded security for the fulfilment of its conditions. Had the magistrates of the county of Kent done this? No; but surely they ought to have done it before they put the inhabitants to an expence of 2 or 300,000*l.* This, however, they had not thought proper to do, and it was enough to alarm the county to find it was about to be put to an expence of above 200,000*l.* by a plan which would give the architect 10,000*l.* to put in his own pocket. Such an expence as was at present contemplated, had never before been incurred in a similar way, and were these times unnecessarily to go to an expence so unprecedented and immense? He repeated, such an expence had never been incurred before by such an undertaking, and if any gentleman would rise and state an instance, in which the building of a county gaol had cost half the money now proposed to be expended, he would instantly withdraw his support from the motion of the hon. gentleman. He knew that within these few years the county of Surry had built an excellent prison, at one third of the expence, which was said to be necessary to erect one in the county of Kent, and knowing this, it was impossible to approve of the plan of the magistrates. It was said that to agree to the motion, would be to throw disgrace on the magistrates. It would do no such thing. All that was wanted was to send the plan back to them for revision, and it was an odd way of disgracing any set of men to send a plan to them for correction, that they might do that in a legal way which they had done in an illegal way; that they might do that with some limitations, which they had done without any limitation whatever. The county of Kent was at present in such a state of litigation, that the magistrates would soon find themselves unable to proceed a single step further, unless something were done to appease the inhabitants; unless something like that which was the object of the present motion were obtained.

Mr. *Pole Carew* in explanation said, the original plea for opposition to the plan in question, seemed at last to be abandoned by the counsel who had first set it up. With respect to the contracts he again contended, that sufficient responsibility had been secured, and was proceeding to notice what had been said on this subject by the last speaker, when he was interrupted by a loud cry of 'Spoke,' accompanied by marks of disapprobation and impatience on the part of the House.

The *Speaker* interfered, and observed the hon. gentleman was free to explain what he himself had said, but it was not common for one member to take upon himself to explain what had fallen from another.

Mr. *Pole Carew* said, he had wished to say the contracts had been made according to law, and his object in rising was to explain what in his conception was the law; to show that he was correct in saying they were legally made. Contracts had in the present instance been made with the surveyors, and with people who could best furnish what was wanted, from their having the necessary articles at first hand. The contracts concluded with such persons, gave the county ample security, and therefore he contended they were not other than according to law.

Mr. *Calcraft* waved his right to reply. Strangers were ordered to withdraw, and a division took place, when the numbers were:—

For the Motion.................... 55
Against it.......................... 62
Majority against it........... —7.

EAST INDIA COMPANY'S AFFAIRS.] The House again resolved itself into a Committee of the whole House to take into further consideration the Affairs of the

East India Company. The question being put upon the third Resolution,

Mr. *Rickards* rose. He had passed many years of his life in India, and had never ceased since to feel an interest in its welfare. The first point he should look to, was the condition and safety of the natives. He should touch on this subject, as far as it was connected with the resolution. It was obvious no great benefit could accrue from trading with a nation of beggars, yet such was the greater part of the Indian population, which was vast, but absolutely compelled to till, for the mere purposes of existence. In and just round the great towns it was different, but from comparative wealth to misery, the transition was sudden—from the enterprise of merchants, to the field of unprofitable agriculture. No remedy appeared for this, but reform of the revenue and the aids of an enlarged commerce. The governments were considered sovereigns of the soil. Where the Mahometan arms had not prevailed, we still found the better institutions of the Hindoos existing. But in the countries first alluded to, the ryots had one half their produce for every purpose of living: they were thus reduced to poverty, and to a state little removed from savage life. They were often even worse off than their labourers at 3*d* per day, though they were the original proprietors of the land. They often borrowed money on a kind of mortgage, but they were little better for it. The great evils of their state led to lord Cornwallis's appointment. His moderation and justice were never doubted, and he introduced a measure in Bengal, a new mode, by which a class were brought in, from whom great advantages were expected. Lands were divided into free zemindar estates, subject to a perpetual tax: but the wants of the government requiring more revenue, half was taken for government purposes: and, in fact, in many cases, the holder received no more than one-eleventh for his own objects. This system was extended to some of the Madras provinces; of the injurious effects of which the Fifth Report contained vouchers. The hon. member then read a letter from a respectable native, eloquently describing, in the oriental style, the distressed state of the ancient inhabitants of that province, who were grievously oppressed by the introduction of a new class from the least respectable occupations of life in India, and shewing, that though the Company's officers were just and enlightened, yet, that the expence of obtaining justice defeated its object; and pointing out the oppressive evils of the mootadary system (as the zemindary system is called in the Madras countries), on the respectable and on the poor. It stated that they were much happier under Hyder Ali, and under Tippoo Sultaun, whom it praised. It considered the Company (the lords of glory!) as having no real advantage from their distress, and observed, that such was their state, that it might be supposed, a new race of polygars (depredators) had been let in upon them to destroy them, who were driving them to despair. Yet such, he exclaimed, was the state of society extolled in a late debate as the height of human happiness and freedom! The lower orders of people in India, so far from being attached to the Company's government, were ready to join any standard which might be raised against it. One great source of discontent in India was what had often been extolled in that House, the zemindary settlement. This was one of the greatest bars to the improvement of India. It had been said that India might be improved by the cultivation of the waste lands; but the fact was, that the waste lands of Bengal were peculiarly cultivated. The great population of that country were obliged to support themselves by tillage, and whenever land could be cultivated without much expence it was occupied. But this, under the present system, did not increase the prosperity of the country, for the produce of the soil was of little or no value in the hands of the possessor. The price of rice had been considerably lowered within the last ten years. They had been often told the people of India were poor, because the rate of wages was low: but this was taking the effect for the cause. Wages were low because the people were poor; and to the same cause must be ascribed the great increase of crimes and immorality of late years. The evil was rooted in the state and condition of the people. When they found the means of honest employment they would not resort to the commission of crimes to which they were driven by hard necessity. He could not speak in worse terms of the zemindary settlement than was done by some of the Company's collectors. One of them, in his letters, said that all the zemindars he had ever known were of one sentiment on the subject, that it was a hard system, and severely felt in the country, and that it had produced greater changes in the landed property of Bengal than had ever before taken place. The whole plan was too sudden, and the benevolent intentions of the noble founder of it had been completely frustrated. On this subject the political letters of the directors displayed an ability which shewed what might be expected of them were they to confine their views to politics; and it was only when their commercial speculations interposed that the sentiments of monopolists began to appear, and their commercial speculations but too often interfered with their political conduct. The internal commerce of Bengal afforded another proof of the effects of the zemindary settlement. Since that settlement the internal commerce of Bengal had not increased, and this was an incontrovertible proof that the prosperity of the country had not increased, for if there had been an increase of prosperity the commerce would have increased. The condition of this interesting people would sooner or later attract the consideration of that House. They ought not to be considered merely with a view to commerce. The House ought to be alive to the calls of humanity, not less than to the prospect of a beneficial commerce. Every party in that House had the ablest advocates; but in behalf of the poor neglected Indians how few were disposed to lift up their voice! He was confident that an appeal to the humanity of the British House of Commons would not be made in vain. One great consolatory hope was open to them, had it not been in a great measure done away by the number of restrictions proposed to be imposed on the private trade. The wealth which would have been thrown into India by British merchants in return for the raw produce imported from that country would have given a value to the waste lands of the zemindary estates. But he saw no prospect of any such benefits, till the trade should be perfectly free, and till the East India Company should retire from a course which it was their interest as well as their duty not to pursue. Every merchant was a monopolist at heart; but when one merchant was opposed to another, the most beneficial effects resulted from the competition. It was very different, however, with the Company. From the market being altogether in their own hands, the prices had been depressed, to the prejudice of production. It was only by a free and unrestricted trade that any benefit to the country could be realized; that a value could be given to estates—and that cultivation could be carried on as an object of gain, rather than to procure a wretched subsistence. It would afford the people the only relief from their present overwhelming land-tax, which it would in reality diminish, by increasing the value of their produce. A free trade would have opened this prospect; but the continuance of the Company's trade for 20 years longer, presented an insurmountable obstacle to the prosperity of the country. He hoped that this period of 20 years might still have some modification. All that they heard of the Indian trade being incapable of increase, was completely disproved, because the Indian trade had been increased since the introduction of the American and private traders into India. There could be no doubt, that it might be carried still farther. The other proposition, that the wants of the Indians were fixed and incapable of change, was of the same stamp. This antiquated prejudice concerning the fixed habits of the Indians, was more absurd than the most absurd prejudices of the Hindoos. Their wants were fixed from their own poverty on the one hand, and the despotism of the government; and the same causes would be productive of the same effects in all countries whatever. It would appear that there was something mysterious about the Hindoos from what was said of them, as if they were not flesh and blood like other men. For his part he had always found them to be actuated by the same motives and feelings as other men, and as disposed to enjoyment. This disposition to enjoyment could only be adequately gratified by the employment of British capital and British skill: and the means would be afforded by the management which would be given to the produce of the country. He had but one more remark to make. The misrepresentation of motives was in all cases but too common; but such misrepresentation of his motives could give him personally no uneasiness. The opinions he had delivered that night were neither new, nor delivered for the first time that night, nor proceeded from any hostility to the India Company. They were the result of the impressions produced on his mind by inquiry, and which, ever since that inquiry, he had uniformly maintained, and to this the records of the India Company would bear testimony. Nothing but a desire for the public good could have induced him to persevere in a course which had already involved him in disappointment and loss. He said thus much with respect to his motives, only lest some should be ascribed to him, which might injure the cause which he had so much at heart.

Mr. *Charles Grant*, senior, requested the indulgence of the House, while he made a few observations on the studied composition which had just been delivered.

He was sensible that he laboured under great disadvantages in attempting to reply to a speech prepared with so much care, and embracing such a variety of important matter: but he would advert to some of the most prominent particulars, hoping that he might another day have an opportunity of observing upon it more in detail.

If the hon. gentleman was right in his view of the system which the Company had adopted for the internal administration of India, the most eminent persons who had ever given their attention to that subject had been grossly mistaken. Lord Cornwallis, who had established the system in question, and had been reckoned a great benefactor to India, lord Wellesley, lord Minto, and many other distinguished persons, differed widely from the hon. gentleman on this subject.

He trusted, however, the Committee would not adopt any such conclusion, without at least a more thorough and impartial investigation.

He would venture to say, that not only with respect to these leading men, but to the great mass of British residents in India, the hon. gentleman was singular in his opinions. What were these opinions founded upon? They rested on this, that unless the people of Hindostan were made a great commercial nation, they never could be happy. But they had never been a great commercial people in the most flourishing periods of their history, nor since their earliest time. And that their happiness depended on their becoming such, was a chimerical idea. With respect to the effects of the Company's system of government, he sincerely believed the hon. gentleman was grossly mistaken. In all systems there would be found some imperfection, but he had not the least doubt, that if any person were candidly to examine what had been done in the last twenty-four years, the wonder would be, not that some things might still be short of perfection, but that so much had been accomplished. He had seen a good deal of India himself—the part chiefly in question, much more than the hon. gentleman; and he conscientiously believed that the hon. gentleman was extremely mistaken. He had, according to his views, described the system of the Company, but he had not at all adverted to that which they had found established. This ought to be taken into consideration, because it was only in comparing the past and present state of the country, that the merit of the Company's administration could be properly appreciated. The hon. gentleman had besides in the course of his speech frequently advanced contradictory propositions which destroyed each other.

With regard to the system of land tenures established by lord Cornwallis, it was certainly a very great boon and blessing to the country. Before its introduction the lands were in general leased out yearly—every year a new agreement was to be made—and in the time of the native government it was common for the officers of government to exact more than the ryots or cultivators had agreed to pay, and on a thousand arbitrary pretences. If the crop was abundant, this was held a sufficient reason for further exaction—if from unfavourable seasons or oppression, many of the ryots fled from a district, the remaining cultivators were required to make up the rents of that district. All was uncertainty, exaction, and oppression. Industry was in consequence wholly discouraged, for it was taxed in proportion to its exertions. A scanty subsistence was all that in any case a ryot had to expect. Different plans had been successively adopted by the Company's servants to reform the ancient practice, but the very instability of their measures produced insecurity and distrust; and lord Cornwallis was convinced that nothing short of fixing the land rent, unalterably and in perpetuity, would be a radical cure for all existing evils in the administration of the revenues. He had, after immense labour and research, accomplished this great and difficult work. The soil was decreed to be the property of the zemindars or landholders, subject to the payment of a certain fixed invariable rent. The ancient theory of the Mogul government, probably also of the anterior Hindoo government, was, that the sovereign was the proprietor of the soil, the zemindars only the officers of government for the collection of the rents from the cultivators, therefore removable at pleasure; though it had become usual to continue the office in the same family. This was his own conception of the matter. It had however been a subject of controversy among the servants of the Company. Lord Cornwallis thought it a question of no great importance to the zemindars as long as the government should tax the land according to its pleasure. But he both declared the property of the soil to be thenceforward vested in the zemindars, and that as before mentioned, the rent should be fixed and invariable. This rent was settled at the average of what had been actually paid in the three preceding years. On the same wise, humane, and liberal principles, numerous precautions were taken to secure the just and equitable treatment of the under tenants or ryots.

Such were the fundamental principles of the permanent settlement, and undoubtedly it has been productive of highly beneficial effects to the country in general. The hon. gentleman had ventured to give a different view of this great measure, but he had not spoken from local knowledge—he had only referred to records, and particularly the Fifth Report of the Committee of that House, a work in which there was a great deal of information; and of that Committee he, (Mr. Grant) had been an humble member, but the hon. gentleman had given only mutilated extracts from their Report, thereby drawing an inference entirely different from that, which the whole of the Report taken together, clearly and professedly presented. In the administration of justice too, signal reforms had been introduced in the time of lord Cornwallis. During the government of the Mahomedans nothing could be more corrupt and intolerable than the practice of the native courts. Much had been done by the British government to purify the streams of justice. In the civil courts the Company's servants had presided, and considerable reforms had been made, but the administration of criminal justice was a prerogation of sovereignty, which it was thought not easy to detach from the nabob, until after lord Cornwallis entered upon the government, and the persons delegated by the nabob had in general been scandalously venal. The reforms introduced in this branch by his lordship were great and generally acknowledged, and extremely beneficial to the people, who experienced a new protection, whilst the pure administration of justice raised the character of the government, and the standard of principle. It is true the system of police introduced in the time of lord Cornwallis has not yet perfectly succeeded, the country continuing to be infested by decoits, or gang robbers. This, says the hon. gentleman, is an effect of the poverty of the people, which obliges them to take to such courses. It is an effect of the depraved principles and hereditary manners of the people. The sons follow the profession of the father, and become robbers too. They think they are in their allotted place; the execution of the father will not induce them to change, they seek to propitiate their Deity for success, when they go upon a marauding expedition. This has been a very long established practice; the zemindars were supposed to encourage it by themselves keeping gangs of robbers, who made inroads on the neighbouring zemindaries. The nature of the country is favourable to such expeditions. The people have no public virtue to resist such combinations, and the English administrators of justice are thereby spread over a great extent of country; but still there is hope of gradual improvement in this branch. The hon. gentleman had said, that the effect of the system of land tenures was to break down and ruin all the ancient and great families of the zemindars. This was no necessary consequence of the system, and the case was over-stated. The fact was, that as the lands had been given away in perpetuity, subject to a certain fixed rent, which could not be increased, it became necessary for government to secure the practical payment of that rent—because, if it was suffered to run in arrear, it would, from the habits of these people, be paid out of the produce of the succeeding year, and entail an irrecoverable balance. It was, therefore, made a condition in the grant of the lands, that if the rent was not punctually paid, a portion of the land adequate to the balance should be sold to discharge it. The zemindars, an ill-educated, indolent class of men, often vicious and incapable, trusted their affairs to other servants, who, inattentive to the punctuality which the change of system demanded, perhaps careless of its effects, suffered balances to be incurred as before, and the consequence, in various instances, was a sale of portions of the lands. This was, as far as the zemindars were concerned, to be regretted, but how could it be avoided, except by their punctuality? In time, however, the practice of sales had much diminished. The hon. gentleman had said, the Calcutta Gazette was full of advertisements of such sales, but it was to be observed, that every article was advertised in several languages, and the same article several times. As to the antiquity which the hon. gentleman ascribed to the zemindars, in fact few or none of their families were ancient. They were often the descendants of those who had supplanted their principals in their places, as those principals had supplanted others, such a practice having been ancient and common in Hindostan, with respect to kingdoms as well as zemindarries.

The hon. gentleman had said, that the principle of an equal division of the crop between the sovereign and the cultivator, was not in the original system of Hindoo government. In this notion the hon. gentleman was completely mistaken. The Hindoos were remarkably deficient in authentic records, both historical and financial, but there was the most satisfactory evidence in the drama of *Sacontala*, a celebrated work translated by sir W. Jones, and at least as old as the Christian era; of course composed long before the irruption of the Mahomedans into Hindostan, that in the times of purely Hindoo governments, the practice of dividing the crop between the sovereign and the subject existed, although the instance occurring in that work, referring to the favoured tribe of bramins, shewed the portion of government to be small. But at a period long posterior to the commencement of the Mahomedan dynasties, the division of the produce subsisted in various parts, and indeed until after the discovery of the American silver mines, there was hardly currency enough in Hindostan to pay the rents of government in specie; even so late as the reign of Akber, about two centuries and a half ago, much of the circulating medium is supposed to have been copper. In process of time, no doubt, the sovereign's proportion of the produce had been gradually converted into a money rent, the amount of which was of course calculated upon that proportion, whence the principle of division had an original influence in the rate of money rent.

The hon. gentleman has said that the zemindar's share of the produce was, after paying the rent to government, only one-eleventh part, (that is of the government share). The zemindar's proportion, which was assumed long before the permanent settlement, was usually and more correctly reckoned a tenth—and this was upon the idea that the zemindar being the officer of government, received about ten per cent. of the government rents for making the collections; this ten per cent. was commonly called his subsistence money; but he derived other advantages from his office, and it was to be observed, that the lands in Hindostan yielded two, sometimes three crops in a year; this made the division proportionably greater than it would be where there was one crop annually; therefore ten per cent. upon two crops was equal to twenty per cent. or one-fifth part of the produce, in places yielding only one crop, and might well suffice for subsistence.

The hon. gentleman had represented the Indian population as a nation of beggars; and as obliged to till the lands for want of other employment. The blessings of wealth he said were confined to the great towns, and in leaving them there was a transition from commercial wealth to agricultural poverty. But what were the people of a vast continent, most of them remote from the sea, to do? what was chiefly to be looked for in the interior of such a country but agricultural life? Was it not the lot of a large portion of the inhabitants of other countries to cultivate the soil—was it not desirable they should? It was not to be inferred that agriculture was an employment which the Hindoos exercised by compulsion; it was well known they were universally attached to it, even manufacturers being also often cultivators of the soil.—It was not to be inferred from the simple diet and slight clothing of the Indian peasantry that they were comparatively worse off than the peasantry of other countries: their food and their clothing were according to the manners of the country; manners to which various causes had long since given the character they still exhibited. But whilst the hon. gentleman wonders how this nation of beggars subsists, he at the same time admits that the waste lands have been extensively cultivated. Does not this account for it? If more land is taken into cultivation there must be more subsistence, and an increase of subsistence will contribute to increase of population. But he seems to think this increase of cultivation an evil: for the price of produce falls! And is not this the effect to be desired and expected? would he have the price rise or continue stationary when the quantity is augmented? On the whole, Mr. Grant said, it was not to be doubted that the changes introduced by the British government had been beneficial to the great body of the people. They had given a purity of judicial administration, a security to person and property, an encouragement to industry unknown in the native governments of Hindostan, and the effects of them began already to appear among the people in an increased spirit of independence. Formerly, when a governor general made what was called a progress through the country, the zemindars within 20 miles of his route used to come and pay their respects to him; but after the permanent settlement (which fixed their property and their rent) had been sometime established, a governor general passed up the country without seeing one of them.

The hon. gentleman had said that the internal commerce of the country had not improved. What is the test of this? Lord Cornwallis had removed a great number of internal imposts which before had clogged the trade, and it was evident from the reports kept by the Company's governments of the external commerce of India, that what was called the country trade, or the trade between the British settlements and other parts of Asia, had very largely increased under the auspices of the Company's government. On the other hand the hon. gentleman had affirmed, that the increase which had taken place in the trade between India and the western world was owing to the intercourse of the Americans, and the greater latitude given to the British private traders, whence he argued that trade would still further increase if it were open to all British subjects. But the hon. gentleman was mistaken in assuming that the trade to the western world had been in any considerable degree increased. It had rather shifted hands from the foreign companies which were annihilated, and from foreign Europe, where the impoverishment of the people with the tyrannical restrictions of the French power, had extinguished Indian adventure, to the Americans whose neutral character and increased population made them now next to ourselves the great dealers in that trade. In corroboration of this statement he (Mr. Grant) felt himself warranted on the authority of good documents to assert, that the exports from India to Europe about forty years ago were as large as within these few years they have been to Europe and America.

With regard to the hon. gentleman's scheme of rendering the Indians generally a commercial people, he believed it to be impracticable. The hon. gentleman had, indeed, some years ago, brought forward a project of another change, which went to overturn the existing system of Indian revenue, but it was a change which could neither be effected nor approved. He (Mr. Grant) should be glad to encourage any commercial attempts which had a prospect of success, provided they did not endanger more important interests, the tranquillity of the people and the safety of the country. He was not one of those who contended for the absolute immutability of the Hindoos in all their usages and customs, but that they were strongly rivetted to them was well known. It was difficult to change the general tastes of any people, much more of that people, and without this how were our fashions, our articles of necessity or luxury, to be introduced among them? At present they had not the least fancy or relish for them. In the last 20 years, with all the enlargements given to private trade, not one new article of British manufacture had been exported for the use of the natives. And even if we could succeed in giving them a relish for our fabrics of various kinds, the consequence would be, not that we should supply them from Britain, but that (excepting a few articles unfit for their climate) artisans of their own would prepare them, instructed by Europeans who were already established in various branches of manufacture in our settlements. The island of Bombay, where the hon. gentleman and others who took a part in this debate had chiefly resided, afforded no fair criterion of the genuine character of the Hindoo people. The population of that island was composed of Arabs, Parsees, Armenians, and native Portugueze as well as Hindoos, and this mixture might affect the manners of a confined district. The Hindoos, to be sure, were human beings, partaking, as the hon. gentleman had said, of the common feelings of human nature, but it did not thence follow that they would adopt our luxuries or our tastes. He should be very glad that a committee of the House of Commons were appointed to examine the whole of this subject from the beginning to the end. It would then he was confident be found, that the hon. gentleman's conceptions were radically wrong.

Mr. Grant then, adverting to the letter

of a native which the hon. gentleman had read to the House, wished to know whether it was entered in the records of the Company, to whom it was addressed, what the character and situation of the writer was, and what was its date?

Mr. *Rickards* answered, that he did not know whether it was among the government records; that he had got it at Bombay from a person high in station there (or as otherwise reported, a member of the government there) who had received it at Madras, with liberty to use it; that it was addressed to lord W. Bentinck, and dated in March, 1807.

Mr. *Grant* in continuance said, that a private letter of that description, not on record, unauthenticated in any way, did not deserve a moment's consideration, and ought not to have the least influence upon the deliberations of that assembly on so grave and important a case. Nothing, he said, was more common in India, than such letters accusing the conduct of public men, and full of complaints utterly unfounded. The character of such writings was well known in India, and no man there would attach any credit to them. But if the hon gentleman would follow up the representation he had thus introduced to the House, and shew whose conduct it was that had been impugned, he (Mr. Grant) would undertake that an answer should soon be given to the accusation. He was unwilling to mix any observations of a personal nature in this discussion, but since the hon. gentleman had referred to his own situation, he (Mr. Grant) thought it right to state, that the court of directors having disapproved of the conduct of the hon. gentleman, had removed him from the station of a member of council at Bombay. He had the less hesitation in mentioning this fact, because he observed that the papers connected with it were ordered to be laid before the House, and he was content to refer to them for the propriety of the measure, which the court of directors had adopted with regard to the hon. gentleman.

Mr. Grant said, he was very sensible that there were many points in the hon. gentleman's speech which he had not been able at present to touch upon—he had by no means done justice to the subject, but he hoped gentlemen would suspend their opinions till the whole of the case was before them. Lord Grenville and marquis Wellesley highly approved of the permanent settlement of the lands, and were anxious to have it gradually extended to all the Company's possessions. Had these noble lords been under a delusion all this time?

On the subject of the Company's accounts, the hon. gentleman had gone into a long detail, which thus given it was impossible to follow, but he (Mr. Grant) had perceived enough to be confident that the hon. gentleman proceeded upon extravagant assumptions, upon data fundamentally wrong, and whenever his statements were put into an examinable shape, as he presumed they would soon be, the hon. gentleman might be assured they would receive a full answer, and till they could be discussed in this way, it would be useless as well as impracticable to engage the attention of the House any farther upon the subject.

The hon. gentleman had thought fit to indulge in the antiquated phraseology of sovereign-merchant, and to charge the Company with making their political power as sovereign subservient to their commercial objects. But this Mr. Grant denied. He supposed the hon. gentleman alluded to the trade in cotton with which he was most acquainted, and concerning which Mr. Grant had given an explanation on a former night. The Company did not permit their character as sovereign to interfere in their commercial transactions. Their agents acted for them in their commercial capacity, as the agent of an individual would act for him.

Mr. Grant said he was conscious he had not done justice to the subject before the House, and he again requested that gentlemen would suspend their opinions until a thorough investigation had taken place.

Mr. *Rickards*, in explanation, said that he was not singular in the opinions which he had stated. For a confirmation of the opinions which he had expressed on the subject of the zemindary settlement, he would appeal to no less authorities than lord Teignmouth, lord W. Bentinck, Mr. Colebrook, col. Wilks, col. Macaulay, and col. Monroe. As to the number of crops produced in a year, he conceived that was of little consequence if the half of the whole was taken. He had always conceived some change in the revenue system necessary; and he had proposed to the Court of Directors, to make the experiment of a gradual change in the system in the island of Salsette. Although he had, owing to this, incurred the displeasure of the Company, yet he had never intended that the change in the revenue system should be sudden.

Mr. *Grant* explained. He did not know what opinion several of the gentlemen mentioned by Mr. Rickards held, respecting the permanent settlement, nor on what authority the hon. gentleman spoke, but lord Teignmouth had not opposed the principle of it, he was only for proceeding to it more gradually. Mr. Grant maintained that it was evident the tenth of two crops must give double the quantum of subsistence which the tenth of one crop would give.

Sir *Eyre Coote* said, that any person who had read the history of the rise and progress of the Indian empire, must feel the highest admiration at the valour, intrepidity, and industry, by which it was formed. How cautious, then, should they be, in adopting any speculative principles, which might put to hazard all that had been gained by that valour and that industry? He had considered the subject with the greatest attention, and he found it full of perplexities and difficulties. But this he knew, that, under the government of the Company, India had flourished beyond all former precedent; and he would never agree to any proposition which appeared to him likely to destroy that empire, and render of no avail the battles of Seringapatam, of Assaye, and all the other glorious victories, by which it was established.

Mr. *Tierney* said, he never recollected offering himself to the attention of the House with more painful feelings than on the present occasion. His total difference of opinion with his political friends nearly bore him down; and the sentiments he entertained were, he feared, not in unison with those held by the majority of that House—he meant the majority of those who attended; for there was much more activity displayed on this great question by those who had made their minds up on the subject, than by those who said they were most anxious to obtain information on the question, but who never attended for the purpose. He had considered the subject with attention, and although he differed from his political friends on the question, he was happy to say, he agreed with lord Grenville as to the necessity of a permanent system. He would leave the hon. gentleman and lord Grenville to settle their differences of opinion on that subject. He was not, at present, able to enter into all the details, but he would say, that the establishment of a permanent system had been approved by all the great men who had considered it; and lord Grenville not only approved of it, but appeared to have made it a charge against the Company, that they had not carried it far enough. Lord Grenville was not a man to form a hasty opinion, or to form one without having carefully examined all the written documents to be had on the subject: and, doubtless, before he gave so decided an opinion in favour of a permanent system, he had most carefully perused the Fifth Report, on which the hon. gentleman (Mr. Rickards) had so much relied. He begged of the House not to give way to first impressions; nobody who had heard the hon. gentleman, but must have perceived the impression he made, when he stated, in forcible language, what he called the wrongs sustained by the Indians, and supported his arguments by the production of an Indian document, the effect of the stile of which he need not state to those who were acquainted with the electric effect produced by such documents in the time of Mr. Burke. He thought such a document ought to have been produced where it might have been canvassed, and this shewed the necessity of that select committee he wished to have been appointed, in order that all the evidence, and all opinions bearing on the question, might have been enquired into, before the happiness of sixty millions should have been trifled with. The Company's witnesses were exposed to the strictest cross-examination; but their opponents, the plaintiffs in the cause, and who should have been the first to have produced evidence, turned round, and said, that what they had to say they would say in debate. But the impropriety of this method was apparent: it was not possible to inquire into statements in debate; and what he might have asked the hon. gentleman, had he appeared as a witness, courtesy prevented his asking in that House. Great sympathy appeared amongst the opposers of the Company in that House, and what one wanted in the cross-examination, another supplied. Yet their's was the quarter from which evidence ought to have proceeded; they ought to prove that the Company ought not to exist. The statement of the hon. gentleman was a mere assertion,—a mere matter of debate; but the evidence of the Company had been sifted to the bottom, and was given by persons of the highest character and greatest respectability; but all this was to be set at nought, and an assertion in debate was to be considered as superior to all. If the subject was to be discussed and not merely to be voted, every enquiry ought to be made. The opponents of the Company had not the courage to call à witness; no witness had the courage to offer himself. He contended, that the mass of evidence produced on the side of the Company was not to be repelled, but by evidence produced on the opposite side. The Company's servants had displayed talent, wisdom, and good conduct, such as was never excelled. He felt great difficulty in this question, but he must do his duty: no party allegiance should prevent him from advocating and supporting those opinions, the success of which he thought necessary to the security of the British empire at large. If the question should be carried contrary to the opinions which he supported, he thought that more mischief would be caused by listening to the clamorous cry of interested men than had been caused by any debate in that House for a century. He required the patient attention of the House, and he was confident that every gentleman who had attended to the evidence would agree, that the mass of information was very difficult to be digested, and that it was very hard to state the prominent points. Some thought that the system of 1784 and 1793, was the system to advance the British interests in India; others thought that that system ought to be entirely given up, and recurrence be had to broad and general principles; that all sovereignty ought to reside in the crown; and that all trade should be free, open, and unrestrained. Some thought that the Company might exist politically, but should not be allowed to interfere in commercial matters. It was difficult to conceive that twenty-four execrable merchants would make excellent political governors; but the system, if system it might be called, proposed by his Majesty's ministers, was the most extraordinary. It departed from general principles: it had neither the support of practice or theory. He did not know any grounds of charge that existed against the Company. *Prima facie* the Company had done nothing that required any alteration; he knew of no crimes they had committed. Gentlemen had said, that the system of 1793 was but an experiment; he had never so considered it, and lord Grenville had then expressed his determination to maintain a regulated monopoly, and thought great danger would result from a contrary conduct. But if it was an experiment, it was entitled to be examined as to its success. If the happiness of 60 millions was the object, was not that obtained? If extension of dominion was the object, which he thought it was not, had not the British dominions been extended beyond the ideas of the most sanguine? It had been stated, that the Company did not carry on trade advantageously; that had not been proved, but it was no matter whether they carried it on to profit or not, if they beneficially carried on the government for the preservation of the lives, property, and happiness of 60 millions of persons. They had no right, therefore, to say the experiment had failed. The principal author of that measure had failed in the expectation he had held out of a supply of half a million yearly to the country; but was not 20 years of war, without interruption, a sufficient excuse? If the expedient had not succeeded as to trade in general, still the private trade had greatly increased. Could the Company, then, be accused of being possessed by a narrow spirit of monopoly? If the export trade had not increased in proportion, neither the Company nor the private merchant was to blame: it arose from the inability of the natives to purchase British manufactures. Large revenues had been acquired by the Company, not much less than 7 millions: they had an army of 150,000 men, officered by men of the highest estimation: they had servants such as no other body had ever possessed. The government of India was well and admirably administered, and all this was to be pushed down, not to constitute the happiness of the people of India, but to acquire a little more trade: it was no scheme to increase their happiness, but to make them, or rather to make us, more rich. It was stated, that a free trade was better than a monopoly; but not a word was said as to the persons who were to carry on the trade, as to the capital, or as to the articles. It was argued, that all British subjects had a right to a free and open trade to all places under the British dominion; but he denied it on broad principles; it was for that House to regulate the trade of the country, otherwise they had no right to legislate on the question at all, no right to regulate the coasting trade, no right to enact the Navigation Act. The attempt to satisfy the gentlemen of the out-ports would, if persisted in, he feared, prove fatal to the British empire in India. He should not pretend to say, that, abstractedly speaking, Liverpool and Bristol had not as strong claims as London; but he should bottom himself on the old system which now existed, and by which the trade of India was confined to the port of London. It seemed to be the disposition of ministers now to concede every thing to the gentlemen of the out-ports. He could not see, however, that they had a right to take from London, that which they had so long enjoyed, and which they had used so well. He believed, that if perfect liberty was given to the out-ports, not a ship would go from Bristol to India. The gentlemen of Liverpool were, however, somewhat more enterprising, and probably some ships would go from Liverpool. The question, however, should not be what was best for Liverpool or Bristol, but what mode of managing the trade was best for the whole country and the empire at large. If the gentlemen of the out-ports really expected nothing more than what was contained in these Resolutions, it would not be worth the anxiety that they manifested: their real object and hope, however, must be, that by breaking in upon the system now, they should get by degrees all that they could wish for. As to the happiness of India, (which had been so much spoken about) it was evident that the question of open trade was quite unconnected with the other question, of the propagation of Christianity. In other respects, he had not heard that any of the advocates of the happiness of India had ever proposed to allow any one manufacture of India to be freely imported into this country. The general principle was, that Great Britain should force all her manufactures upon India, and not take a single manufacture of India in return. It was true that they would allow cotton twist, but, then, having found out that they could weave, by means of machinery, cheaper than the Indians, they would say to them, "Leave off weaving, supply us with the raw material, and we will weave for you." Now, although this was a natural principle enough for merchants and manufacturers to go on, it was rather too much to talk of the philosophy of it, or to rank the supporters of it as in a peculiar degree the friends of India. If, instead of calling themselves the friends of that country, they should profess themselves the enemies of it, what more could they do than advise the endeavour to crush all Indian manufacture? They might argue very well as merchants, but very badly as philosophers; and, indeed, he could see no over-abundance of the milk of human kindness in this new Birmingham philosophy. In England, where the woollen manufacture was our staple, we prohibited the exportation of wool in the raw state; but in India (for which we professed such friendship) we were to take care that the cotton wool should only be imported in the state of raw material. Although we pretended such anxiety for the good of India, we wished that it should only be a nursery for the raw material, but that all advantages of the manufacture should remain with us. They were to supply us with the material, that we might rival their manufactures in every market of the world. What would be said of the East India Company, if they were to show as decided a preference to the manufactures of the natives of India under their protection, as we did to the manufactures of England. The fact, however, was, that as to raw material, whether cotton or hemp, India could furnish whatever supply we wished for. But then if the Company were to undertake to afford a permanent supply of those articles, who would undertake that they should find a permanent demand? Who would undertake that, at the restoration of peace, cotton should not again be taken from America, and hemp from the Baltic, on such terms as would ruin those who should undertake to furnish the supply from India. The noble lord (Castlereagh) had, however, seen the necessity of strengthening the police in India in consequence of the new system, and had provided for that in the Resolutions: but what would the people of India think of the alteration in the police? They would ask one another what great danger was now to be apprehended? Who was it that was coming to disturb the peace of India? They would be answered that it was only the gentlemen from the out ports. (A laugh.) He conceived that some of the Resolutions would have the effect of bringing the Company completely into contempt among the natives of India. For example, if a merchant applied for a licence for a ship to India, and was refused, he might then appeal to the commissioners for managing the affairs of India, who had power to grant it. If an individual chose to go, and was refused leave to go from the Company, he might obtain leave from the Board of Controul, and go there in spite of them. Who could then prevent him from mentioning in India, that he came there in defiance of the will of the Company? and how could a corporate body, resting upon the breath of public opinion, exist for any time, when it was well known in India, that they had superiors and masters? It was true that, by another clause, the Company had the power of sending back from India any man that they thought proper, and so this fortunate man, who had procured the authority of government to go there against the will of the Company, might, in consequence of the conflicting authorities, spend his time between going there and coming back. He thought that men must make up their minds, either to get rid of the Company altogether, or to continue them on the footing that they had hitherto been. Although he differed from a noble lord (Grenville), on this subject, yet he thought that his lordship had done himself infinite credit by the fair and manly declaration which he had made of his opinion on this subject. It appeared to him, however, that these alterations had been proposed for no other purpose than merely to conciliate the clamour of the merchants, and he would defy any man to point out any thing like the good of India being the object of any of the Resolutions. It appeared to him, that either the present system must be maintained, or that otherwise, we must proceed on the broad principle of overturning the East India Company. He thought that the Court of Directors could not accept of this Bill, unless they conscientiously conceived, that under its regulations they could conduct the system for their own benefit, and for the good of the empire. He thought that no friend to liberty and our free constitution could look without the most serious alarm to the destruction of the Company, and the placing directly in the hands of the crown, the increased patronage which another army and an Indian revenue of 17 millions a year would give them. If such additional patronage were thrown into their hands, it was impossible that the last shadow of freedom could remain in this country. The right hon. gentleman concluded a masterly speech with earnestly intreating the House to give the due weight to the several points which he had ventured to throw out for their consideration.

Lord *Castlereagh* said, that he felt it his duty to obviate the misconceptions which the right hon. gentleman's speech was likely to produce. The grounds of the measure were misrepresented. The right hon. gentleman seemed to think that it was necessary to prove the delinquency of the Company; but surely there was no occasion for this. If the notion of a limited charter conveyed any meaning, it conveyed an acknowledgment of the power of parliament to deliberate upon it. It was not necessary to make out any case against the directors. The thing resolved itself into three questions; whether the former system should be observed, or an entirely new one adopted, or a middle course pursued? He did not think the proper course lay in either extreme, and it was strange, after the anathema the right hon. gentleman had pronounced upon the middle course, that he should fall upon it afterwards himself. This was a proof of the poverty of his argument. The truth was, he never heard a more unsubstantial speech from that right hon. gentleman. He was prepared to argue, that the change would contribute to the general prosperity of both countries, and that no profit, however great to the private merchant, should induce the House to adopt the plan if it was not consistent with the happiness of the natives of India. He should have made out a case, which he did not do, to prove that this change was so ruinous to the power of the Company as to prevent them from executing the good purposes which they had hitherto fulfilled. Even at present, the natives of India did not enjoy an adequate protection. Even though it were admitted that it would introduce a greater number of Europeans into the interior, this was not sufficient cause for alarm. The question now was as to the system that was best for the real happiness of India, and the trade of this country. The argument drawn from the habits of the people, as far as it concerned trade, was pushed to an extreme. Even in the article of cotton alone, exported in a manufactured state from this country, had increased within the last 20 years from 2,000*l.* to 108,000*l.* The trade, it was clear therefore, was a growing one. The monopoly was indeed a regulated monopoly, but nevertheless it was regulated upon unwise principles. How, he would ask, could it possibly affect the peace of the interior of India, whether the ships and the officers employed in the trade were appointed by the Company or not? No argument was brought to prove the danger of the likelihood of Europeans settling in the interior. It was a country in which the nature of the police was applicable to this case, in which no European could stir without being subject to the inspection of the Company. But even if any danger were found to arise, what was there to prevent parliament from applying a remedy? All he argued against was, tying up the hands of parliament. If the danger were found to arise, the out-ports would have no charter to prevent parliament from interfering. This was an attempt on the part of those who were against the plan to tie up the hands of parliament merely upon the ground of a chimerical danger. With respect to smuggling, there was no case made out which would not as well have applied to lord Auckland's treaty with France. This danger was a mere pretence. There was no country with which they traded that was not attended with the same danger, and it arose more from neutral ships than from their own. Even if the danger were admitted, he would answer such as argued in this way with the paramount argument that no charter was given to the out-ports. The moment the danger arose there would be no difficulty in withdrawing the indulgence. He hoped therefore such imaginary dangers would not impose fetters upon the commerce of the country, and that parliament, upon such grounds, would not be called upon to surrender their discretion to the East India Company. He had no doubt the Company used their power with honour, but he would not give up to them the exercise of that discretion which should reside in parliament. Their concerns were now much too complicated for the understandings of any body of men, and he must say that the Company were labouring under a weight which oppressed them. During the continuance of their late charter they carried on their affairs with inadequate funds, and exposed themselves to commercial losses, which no body of men should be exposed to. They never had funds to enable them to carry on the trade; and until they were released from it they could not know where they stood, either in commerce or politics. Upon these grounds he should feel it necessary to persevere in the arrangements he had proposed.

Mr. Finlay spoke in favour of the proposition for extending the trade to the outports, and Mr. Forbes followed on the same side.

Mr. *R. Thornton*, from the lateness of the hour, and the number who appeared still disposed to deliver their opinion upon this subject, suggested the propriety of adjourning the debate until to-morrow.

Mr. *Ponsonby* concurred in this suggestion, adding that he thought it impossible to do justice to the discussion of this important question within the present session, and he should not think it fitting to have it hurried. He would, therefore, rather recommend that a Bill should be passed, continuing the charter of the India Company on its present footing for one year, and that the farther consideration of the subject should be postponed until next session.

Lord *Castlereagh* had no objection to the adjournment, but he was not prepared to accede to the recommendation of the right hon. gentleman.

Sir *J. Newport* pressed the recommendation of Mr. Ponsonby, observing, that if it was resolved to get through the whole question within the present session, the Bills founded upon the Resolutions under consideration, would hardly be brought in, until comparatively few members remained in town to discuss them.

Mr. *Canning* said he saw no reason to induce him to believe that it was impossible to settle the question this session; at all events, if it was understood, that the question would not be decided, it would be impossible to secure an attendance to the preliminary discussions.

The Chairman reported progress, and obtained leave to sit again to-morrow.

MANCHESTER PETITION.] Lord *Cochrane* presented a Petition from certain persons in Manchester, complaining of ill usage, false imprisonment, and malicious prosecution, while peaceably assembled to petition parliament for Reform, and praying for redress. On the motion that it do lie on the table,

Mr. *Bathurst* opposed it, on the ground that the petitioners could seek redress in a court of law, but that the House could not afford them relief.

Mr. *Whitbread* supported the motion, contending, that to men in the circumstances of the petitioners (some of them being now prisoners for debt), it was a mere mockery and taunt to tell them that the courts of law were open to them, where they might bring actions for malicious prosecutions. It reminded him of a saying of the late Mr. Horne Tooke, who on being told that the courts were open to all classes, replied, "Yes, and so is the London Tavern, if you have money enough." As the petition was couched in respectful terms, he thought it would be setting a bad precedent to reject it: it was useful, even though parliament could not interfere, to see that magistrates did not exceed the bounds of their jurisdiction.

Mr. *Wynn* observed, that the House had been, at all times, peculiarly jealous, that no obstructions should be given to the exercise of the right of petitioning; and as the present complaint related to an alleged obstruction of that nature, it ought to be received.

The petition was ordered to lie on the table.

HOUSE OF COMMONS.

Thursday, June 3.

PETITION FROM GREENOCK RESPECTING THE CORN TRADE.] A Petition of the magistrates and town council of Greenock, as representing the community and corporation thereof, was presented and read; setting forth,

"That the petitioners have perused, with an interest becoming the subject, the Resolutions of a Select Committee of the House on the Corn Trade of the United Kingdom; and that it appears to the petitioners, that the great advance in prices, at which it is proposed the different kinds of corn and grain may be imported into the United Kingdom, is neither required nor authorized by the circumstances of the country; and that the increased and increasing prices of all sorts of grain, for a series of years past, has afforded, and will continue to afford, a sufficient encouragement to agriculture; and the advance in the prices at which it is proposed grain may be imported, would, if sanctioned by law, have the effect of suddenly, and to too great an extent, advancing the price not only of grain, but also of all kinds of provisions, and prevent their ever again falling under such advanced prices in this country; and that the thus raising of the price of grain to and keeping it at a much greater height in this country than in any other, would, if authorized, have the effect of increasing the price of labour, and adding to the difficulties the British merchants and manufacturers already feel in maintaining a fair competition in foreign markets, where the expence of subsistence and price of labour are comparatively low; and that whatever is injurious to the merchant and manufacturer, and the great body of people in this country, who are dependent on their success, must ultimately injure the agricultural and every other interest in the empire; and praying, that no change may be made in the existing corn laws of the United Kingdom; or at all events, that no advance may be made in the prices at which the different sorts of grain may now be imported."

Ordered to lie on the table.

PETITIONS FOR PROMULGATING THE CHRISTIAN RELIGION IN INDIA.] Twenty-six Petitions—of inhabitants of Galston, Cramond, Wisbech, Market Harborough, Kilkenny, Kennoway, Farnham, Kennington, and Harwich;—of the members and friends of the Missionary Society, residing in Kingston upon Thames, Oakham, Dartmouth, Ottery Saint Mary, Sidbury, Honiton, East Budleigh, and Sidmouth, Stockinham, Axminster, and Tunbridge;—of the supporters and friends of the Baptist mission in India, resident in and near Dolgelley, Nevin, Pontypool, Llandilo, Conway, and the city of Dublin;—of persons residing in or near the town of Tiverton, being either members of the church of England, as by law established, or Protestant dissenters immediately friendly to the Missionary Society; of persons residing in or near Barnsley, being a congregational Calvinistic independent church members and supporters of the Missionary Society; of Protestants dissenting from the church of England residing at Gravesend; and of the magistrates, town council, ministers of the established church and of dissenting congregations, and other inhabitants of the city and parish of Brechin;—were presented and read; praying that such provisions may be inserted in the new charter to be granted to the East India Company as shall afford sufficient facilities to those benevolent persons, who shall be desirous of going to India, for the purpose of communicating to its population the blessings of useful knowledge and moral and religious improvement; and also such provisions as shall prevent the obstruction of their endeavours for promoting their object in that country, so long as they shall conduct themselves in a peaceable and orderly manner.

Ordered to lie upon the table.

East India Company's Affairs.] The order of the day being read, for the House to resolve itself into a Committee of the whole House, to consider further of the affairs of the East India Company, the House resolved itself into the said Committee, Mr. Lushington in the chair.

Mr. *Sullivan* rose. He observed, that the propositions now before the Committee appeared to him to be consequences resulting from the Act of 1793, and the subsequent enlargement of the regulations which it established. The professed object of that Act was to open the trade with London to persons resident in India, through the shipping of the Company, and under certain limitations and restrictions. It was soon, however, found that the provisions of the Act were inadequate to the object it had in view, and as this had become evident to Mr. Dundas, from whom the measure had proceeded, he had the candour to state to the Directors the necessity of an enlargement of its provisions, and for that purpose he proposed to them in April 1800, that instead of confining the private commerce to the shipping of the Company, persons residing in India should be permitted to employ the shipping of that country as the channel of intercourse, and without restrictions as to the extent of tonnage or the periods of dispatch.

This proposition was received by the Directors with alarm; and a special committee was appointed to draw up a report of their objections to it. A reference to that report will shew that all the arguments brought forward against the propositions now before the House were then urged with greater force and ability, than they are at this time stated, because that report was a work of very deliberate preparation, and embraced every thing that could be brought to bear upon the subject of the Company's trade with India.

While the discussion was going on between Mr. Dundas and the Directors, lord Wellesley had found himself imperiously called upon by the state of things in India, to adopt and give currency to a measure similar to that which had been proposed by Mr. Dundas. The result of that proceeding was a display, in the port and in the market of London, of the commercial resources of India to an extent, in tonnage and in capital, beyond what the most sanguine advocate for the enlargement of the trade had represented. But notwithstanding the evidence of these facts, in support of the arguments of the governor general and of the minister for India, the Court of Directors persevered in their opposition, and it was not until 1802 that a compromised arrangement took place, by which the Company was prevailed upon to employ extra ships of Indian and of British construction for the accommodation of the private trade. Although that arrangement left the commerce of individuals subject to many restrictions and disadvantages, yet as the Company had still a term of twelve years in their exclusive charter, a concession of great importance was gained by it, and the spring which the trade received from its operation was such, that upon a comparison of the imports and exports by the Company and by private merchants in the period between 1802 and 1811, it is evident from the papers on the table, that the latter have had nearly an equal proportion of that trade; a circumstance the more deserving of notice at this time, because the amount of the exports appears to have been doubled within the period of the charter. In the article of manufactured cottons there has been an increase so great as almost to surpass belief; the average of the annual export in that article between 1792 and 1796 having been only 730*l.*, while the average between 1807 and 1811 was 96,980*l.*

Mr. Sullivan said, that amongst the imports of the private trade from India, it appeared that in eighteen years, that is from 1793-4 to 1811-12, the article of indigo had produced in England a sum exceeding fifteen million sterling; he observed, that the cultivation of indigo, in the provinces under the Bengal government, and the manufacture of it for the markets of Europe, had been the result of the active intelligence of the British merchants, sustained and encouraged by the fostering care of the Company, who advanced them money to carry on their speculation, taking a security upon the indigo as it was consigned to London, and receiving from the produce of the sales, payment of the money that had been advanced in India. A mode of public remittance to which he adverted with satisfaction, because it had proved favourable to the Company, and might at all times be resorted to with advantage.

Mr. Sullivan mentioned another source of public remittance as likely to operate extensively and beneficially, if the Company should think proper to resort to it;

he said, it appeared in the evidence upon the table, that some years ago the government of Madras had advertised to receive tenders for a given proportion of the investment that had been provided on account of the Company, upon the condition that an advance of 12 per cent. should be paid upon the price the articles had cost the Company, namely, 5 per cent. in commission to their agents, and 7 per cent. to defray the risk and charges of transport to the presidency. The witness who had stated these facts was Mr. Dick, who had been for some years at the head of the commercial department under the government of Madras; that gentleman had further informed the committee that the subscription was soon filled, and that the favourable result of this experiment had been proved by the sale of the articles in London, at a higher price than had been received for those of similar denominations procured by private agency in India. From this circumstance Mr. Sullivan inferred, that if the Company would prosecute that mode of disposing of their investments of piece goods, they would secure to themselves an advantageous remittance to England for their funds; confer important benefits upon the native manufacturers, who would by such means be assured of a steady demand for their work at the present improved standard of the manufacture; while at the same time they would render it unnecessary for the private trader to send European agents into the provinces; because the commercial servants of the Company are known to possess superior intelligence, and the allowance for commission, and for risk and charges, is as moderate as can be calculated; while the agency is in the hands of Europeans: that he hoped the time was fast approaching when the natives would take a large share in the general commerce of the country, and become efficient instruments, not only for the purpose of extending the trade, but in every department under the British administration; for though it had been necessary to act towards the natives with great distrust, while they were the only medium through which information could be obtained, we had now acquired such a knowledge of the revenue system of the country, and of its commercial resources, of the institutions of the Hindoos, and of the Mahomedan law, that the natives might, with advantage to our own interests, be gradually brought into action in every part of the internal administration, and might be made certainly a more economical channel for the provision of an investment than Europeans could possibly be.

Mr. Sullivan passed some marked compliments upon the lucid arrangement with which a member, who had spoken for the first time the night before (Mr. Rickards), had conveyed his sentiments, but at the same time expressed his regret that he should have been led, by any partial circumstances that might have taken place in the part of India where he had resided, to have passed an unfavourable judgment upon the operation of the revenue and judicial systems that had been established by lord Cornwallis in Bengal.

Mr. Sullivan observed, that in an empire of such vast extent as that now under the British dominion in India, it was not possible that one uniform rule could be pursued; that which might be proper in one part and under particular circumstances, might be the reverse in another, where a different course of events may have produced opposite results. That thirty years had elapsed between the establishment of our power over the provinces of Bengal and the introduction of what is termed the permanent settlement under the administration of lord Cornwallis; that during the whole of that period we had treated with the zemindars, whom we had found in possession of the country, as the lords of the soil—we had made arrangements with them for the revenue of the lands, and we had left them in the exercise of the internal administration; that after such a recognition of them, for such a length of time, it would have been as unjust as it would have been impolitic to have displaced them. That lord Cornwallis did not act as he had done from an ignorance of the real nature of their tenures, as must be evident from the discussions which took place at that time between him and lord Teignmouth. That he seemed to be well acquainted with the rights of the ryots to the occupation of the lands they cultivated, and that he had made it an express stipulation in the settlements with the zemindars, that they should execute written agreements to the ryots, specifying the proportion of the produce to which they should be entitled for their labour. Mr. Sullivan lamented to say, that he had not been able to trace the execution of those agreements, and that he greatly feared from the length of time that had elapsed, and the interest the zemindars had in preventing the village registers from being kept up, that it would now be impossible to apply a complete remedy to the evil in the Bengal provinces, but that he was nevertheless convinced the circumstances of the ryots were at this time much better than they had been before the introduction of lord Cornwallis' system; and that from his conscience he believed the hon. member to whom he alluded was mistaken in supposing the reverse to be the case on that side of India. With regard to those in the provinces which had but a few years ago fallen under our government in Guzerat, the opportunities of local knowledge possessed by the hon. member rendered the information he had obtained respecting their situation deserving of immediate attention, and Mr. Sullivan assured him and the House, that he would, without loss of time, make particular enquiry into the subject, and if the practice of taking from the ryots their proportion of the cotton crop at an arbitrary price should be found to have continued; Mr. Sullivan pledged himself that measures should be taken to remedy the evil, and to give to the ryots the unrestrained command over the produce of their industry.

Mr. Sullivan proceeded to observe that the reasons which had operated in support of the zemindarry establishment in Bengal did not exist in the greater part of the territories under the government of Madras, and that any attempt to introduce a similar settlement, where we had not found it established and had not sanctioned its continuance by our own recognition of it, would be highly objectionable. That colonel Munro, whom the committee had heard with an equal admiration of his talents and of the extent of his information, had furnished the most convincing evidence of the happy results that had attended a settlement of the revenue with the ryots, without the intervention of zemindars or of any other intermediate description of persons. That in steadily pursuing that plan, during an administration of seven years over an extensive province that had been peculiarly oppressed under Mahomedan government, he had been able to raise the public revenue from 450,000*l.* a year to 700,000*l.* not only without increasing the pressure upon the ryots, but with a proportionate improvement in their circumstances and condition. The increase of the revenue having in a great measure proceeded from the cultivation of land that had been waste, from the produce of which the cultivators are entitled in India to very large proportions.

Mr. Sullivan took occasion from this to observe, that the culture of cotton was particularly favoured by this established usage with regard to waste land, for that the practice was to allow to the cultivator the whole of the produce during the first year, and that it did not become subject to the full rate of assessment until the sixth year; the stiff black soil which produces the best cotton requiring frequently twelve oxen to the plough for breaking it up. From this he inferred that every encouragement should be given to the cultivation and to the export of cotton, as tending to improve the circumstances, and to promote the industry of the natives of India, and to extend the commerce between that country and the United Kingdom, while at the same time it could not fail to have the effect of rendering our manufacturers independent of foreign governments for an article which may now be said to constitute the great staple of their industry and skill.

Mr. Sullivan concluded by adverting to what had fallen from a right hon. gent. (Mr. Tierney) who in advocating the continuance of the Company's present system, had gone the length to say, that the question resolved itself into a single point, and that by confining the returning trade to the port of London every difficulty might be removed; a concession formed indeed upon a former admission of the directors, but which seemed to render nugatory all the evidence that had been adduced on the part of the Company, to shew the danger from a supposed influx of Europeans into India (a danger that could alone arise out of the unrestrained export trade from this country), and which would leave the speculators in an export trade exposed to all those predicted hazards of loss and disappointment, which another chain of the Company's evidence had been produced to maintain.

Mr. *G. Smith* recapitulated a variety of arguments, and stated a series of strong facts to show the dangers that would arise from the adoption of the third Resolution. Perhaps an argument more conclusive against the measure could not be urged, than the influx of adventurers into all parts of India, in consequence of the opening of the trade. There was no regulation, however wisely planned, and rigidly enforced, that could prevent the evils arising from such an influx. With regard to the advantages which had been so repeatedly dwelt on, as likely to result from the increased sale of British manufactures, caused by increased consumption in India, they had been all decidedly disposed of by the evidence which had been given at the bar of the House: but he would put it to the candour of the Committee, whether, on the other hand, there was no danger to British manufactures from throwing the trade open to the out-ports, by the consequent introduction into this country of the manufactures and commodities of India? He then went into a statement of the injuries which would be inflicted, both on the trade and credit of the East India Company, by the destruction of the sales annually held in spring and autumn, at the India-House, where public competition was fairly encouraged. He trusted that however unpopular the East India Company might be at the present moment, the House would not decide against the unanswered arguments and uncontradicted evidence produced in their behalf.

Mr. *Protheroe* observed, that a right hon. gentleman (Mr. Tierney) who had last night advocated the interests of the Company, had dwelt more largely in sarcasm than argument; and as no one could doubt his ability, he would not take upon him to decide whether the right hon. gentleman had resorted to this mode of defence from the badness of the cause which he espoused. The right hon. gentleman had derided the philosophy of the outports; but if philosophy was demonstrated by patience, moderation, and a deference to legislative wisdom, he thought they had some claim to it. They had been also censured for compromising their rights, but they had only shewn that they were not so fond of right as to sacrifice expediency to it. The gentlemen of the out-ports looked forward to further concessions on future occasions; but they paid a due deference to the wisdom of his Majesty's government, by not insisting on more than it seemed expedient to give. The merchants of Bristol had fallen under the irony of the right hon. gentleman, but if the case were to be as he had represented it, their conduct on the present occasion was a proof of their disinterestedness and prudence. The right hon. gentleman had remarked on the want of evidence on the part of the out-ports, and seemed to consider the cause which he advocated as suffering some degree of injury; but it appeared to him that this was of the greatest advantage to the Company, for they had the benefit of an *ex parte* statement, and there was certainly as much dogmatical statement on the one side as on the other. If there was any blame to be attached to the delegates from the out-ports, he took a large share to himself; for there was a large body of evidence ready, and among these witnesses there were some as distinguished characters as had appeared on behalf of the Company. Their not having produced the evidence, arose from a belief that this important measure could not be brought to a conclusion this session. There was nothing in the evidence of the East India Company which militated against a free trade—it applied more to the export than the import trade, and to the difficulty and danger, which might be obviated by regulations; and he trusted that they might have the assistance of the East India Company themselves to frame those regulations. Was it in the 19th century necessary to advocate a free trade against monopoly? When the French merchants were asked by their monarch, "What shall I do to increase your trade?" the answer was, "Let us alone!" And there was more practical commercial knowledge, and political wisdom, displayed in that short sentence, than in the 590 pages of evidence in favour of the East India Company. Was it necessary to persevere in the narrow system of the Tudors or the Stuarts? He would refer to the situation of the Company itself, trembling, on the verge of insolvency, for the necessity of a change. He would appeal to other countries enriched by the India trade, and would then suppose some cause which prevented the same effects from being produced here; nor could he hesitate to attribute them to the baleful influence of monopoly, and to the union of the characters of sovereign and merchant. These objections had been made at the last renewal, and with what accumulated force did they now press upon us! Since that period there had been extensive conquests in India, and South America had been opened to us, yet in the face of those events, the Company had not hesitated to tell us there was no room for an increase of trade, and that the contraction of commerce was in proportion to the extension of territory and owing to the natural influence of events. To give full effect to the energies of commerce, merchants should be allowed to enter into competition with merchants, and then political, moral, and religious improvements would follow. It might be said that these were mere general observations—he admitted this, but they were amply sufficient to shew the expediency and policy of opening the trade. He had most attentively considered the evidence of those truly respectable individuals who had been examined at their bar, and which, he thought, would be most beneficially applied, when the Bill was brought into parliament. He trusted, when that period arrived, he should see his Majesty's ministers, the advocates of the out-ports, and the friends of the East India Company, all united to give full effect to the intention of the legislature.

Mr. *Baring* said, he had no interest in contending that the trade should be continued, as it had hitherto been, in the hands of the East India Company. In the very little he should address to the House, he was influenced by no other motive than a desire to serve the country. He should apply himself to the main question which was then before the Committee, namely, the expediency of opening the trade, without going at present into the various details connected with the subject. Much of what had been delivered in the course of the present discussion, was totally irrelevant to the question. Thus, the observations on the landed system of India, which had been so often introduced, had no connexion with the resolution then under consideration: whether that system was good or bad, it was not affected by this resolution. Neither was it at all necessary to inquire, whether the natives of India ploughed with oxen or horses. Such information might be very interesting to the board of agriculture, but had nothing to do with the subject immediately before them. The question resolved itself into these two points: whether the trade should be thrown open, without restraint, or with those restraints which the noble lord advised. This was not a question of private trade; because, at present, a private trade was allowed, and that almost to any extent; but whether it should be new modelled, and permitted under restraints and regulations which did not at present exist. The two points on which the question seemed to turn were, the allegation, on one side, that the commerce of the country would be increased by throwing open the trade; and the statement, on the other, that the private traders could send out their goods, as the system existed at present, but did not choose to do it—and that, if free access to India were given, then the East India Company could not answer for the effect which might be produced on sixty millions of inhabitants. This statement was corroborated by all those persons who had served the East India Company abroad, and whose practical knowledge of the subject gave additional weight to their evidence. Then, it was to be considered, whether the trade could be extended under different restraints; and, if so, whether any danger was to be apprehended to the internal safety of the country? Now, though he could not see the inevitable ruin of the Company, in consequence of these changes, yet, looking to the evidence, he thought it impossible that all the persons examined could have expressed an apprehension of danger, unless there was a just foundation for this feeling. This general authority weighed more with him, than any particular judgment or observation of his own. Besides, if, as had been repeatedly argued, the Company carried on a losing trade with India, and prospered only by their territorial possessions, as sovereigns, what wish could they have to retain this trade, except one that originated in the dread of danger to the country? Entertaining this opinion, that much danger might very justly be apprehended, the next question he would put was this, What benefit are we to derive, which is likely to compensate such a risk? The out-ports had not given this information: they had loaded the table with Petitions, boasting of the manner in which they would carry on the trade: they had declaimed a great deal; but, after they had called for a committee, after the Company had produced many witnesses, they did not think proper to call one, and, in fact, they proved nothing. Their moderation, in not bringing forward witnesses, was indeed exemplary. It would have been well if they had been equally moderate in their assertions. They appeared, however, most anxious to enter into the export trade to India, although it was proved, beyond a doubt, that the captains and pursers of the Company's ships, who took out manufactured goods, without paying freight, scarcely cleared any thing by their ventures. This circumstance shewed the great moderation, as well as prudence of the out-ports in not going into evidence. Indeed, the declaration of the hon. gentleman, (Mr. Protheroe) when he assigned his reason for not proceeding with evidence, meant neither more nor less than this: "We, the out-ports, can muster so great a mass of votes in the House, that it is better to go to a division at once, than to trouble ourselves by adducing any argument." This also seemed a part of their moderation and prudence. An hon. gentleman (Mr. Sullivan), had recommended the culture of cotton in India, for the supply of this country. Now, India never could supply us with cotton. He did not mean to say, that if the monopoly was given to that country, she could not produce a sufficiency. But it would be a most weak and vicious policy, to grant to any country the monopoly of growing the raw article for one of our principal manufactures. Besides, it would be calling on the merchant to go five times the distance that was necessary, to procure an article of a worse quality than he could get elsewhere. The price of India cotton was about 10*d.* per lb.; but, in a time of peace, when there was a free intercourse with the rest of the world, it would not be worth 6*d.* Another article, the growth of India, and which formed a principal trading commodity, was indigo. The whole of that article, at present consumed in Europe, was the production of India. The indigo manufacture of that country had superseded that of the West Indies, Florida, and Carolina. It was impossible to extend this trade, unless the legislature compelled every man to wear a blue coat, instead of consulting his fancy, as was now customary. The importation of piece goods might be increased; but he believed the gentlemen of Glasgow would not much like this branch of commerce, for they had frequently petitioned the Treasury to restrict the introduction of that species of manufacture. An hon. gentleman (Mr. Sullivan) had alluded, not very fortunately, to the conduct pursued by the late lord Melville. When the out-ports applied to him, he expressed a willingness to open the trade as far as it could be done with safety. At that time, however, the country had a strong government. The clamour was then as great as it is now, but the government boldly resisted it. The present government, however, fearing, perhaps, the number of votes which the out-ports, and the counties in connexion with them, could command, had given way to the clamour. The hon. gentleman then passed a very high eulogium on the discrimination which the Company displayed in the choice of their servants. The good conduct of the Company in the administration of India was generally acknowledged. Let it be compared with that pursued generally by colonial governments. No individual was sent out by them for the purpose of providing for him, however unfit in character and ability for the situation to which he might be appointed. The civil officers of the Company were, in general, men of a very different description; and there was no stronger illustration of the evils of meddling with the Company's affairs than was to be found in the interference on the part of his Majesty's government with the appointment of governor-general of India; by which it sometimes occurred, that an individual was placed in that high situation —a situation, on the due execution of the duties of which the happiness of so many millions of human beings depended, merely because he was in circumstances of such embarrassment, that it was impossible for him to remain without utter ruin in this country. He owned that he considered the late appointment to the government of Bengal as a reprehensible one; and he was persuaded that the Company would not have acceded to it, had they not entertained a false hope, that by so doing they should propitiate his Majesty's government in the contest in which they were about to be engaged with them. Adverting to the proposition of confining the free trade to the port of London, he admitted, that if it were granted at all, it ought to be granted to the outports as well. But that which parliament were called upon now to do was, to destroy that which was already established in London, for the purpose of raising it elsewhere; to destroy eight or nine millions of property already in existence, in order to give a chance for creating it where it did not exist; to produce in the one instance a positive loss, and in the other, only a right to make profit.

Mr. *Sullivan* said, he introduced the name of lord Melville, merely for the purpose of stating, that, after he had found from the experience of a few years, that the operation of the Act of 1793 was not adequate to the object, he had the manliness to come forward and admit it. He then proposed an extension of the trade, against which the Company argued as they argue now; but they did not convince the government. At the time lord Melville made this application, the marquis Wellesley acted on the same principle in India; and the consequence was, an increase of tonnage and capital.

Mr. *Baring* said, the government then acted on the principle of a regulated monopoly. They also gave every information to the Company, which the present government had not condescended to do, but referred them to the petitions laid before parliament.

Lord *Castlereagh* said, he must peremptorily deny the statement of the hon. gentleman. So far from not seeing the persons deputed by the Company, the government, for four days, were in constant discussion with them. That discussion was broken off in consequence of the Company coming to an imperative decision.

Mr. *Tierney* said, when the Company desired to know the arguments by which the gentlemen of the out-ports had converted his Majesty's ministers, instead of giving them that information, they were referred to the petitions.

Lord *Castlereagh* said, his Majesty's ministers had learned sufficient to satisfy their own understandings. They had stated, in their places, in parliament, the grounds on which they acted. This proceeding, he believed, was perfectly consistent with the principles of the constitution.

Mr. *Thomas Courtenay* said, that the letter of the noble earl (Buckinghamshire) to whom he had the honour of being officially attached, which had been alluded to, as referring the court of directors to the petitions presented to parliament for the arguments upon which the measure proposed by government rested, had relation merely to the question, whether or not the imports should be confined to the port of London. The course of the transaction was this. As early as December 1808, lord Melville had communicated to the Company, the determination of the then cabinet, the duke of Portland's, in the following terms: "It is fit that the court should now understand distinctly, that I cannot hold out to them the smallest expectation that his Majesty's ministers will concur in an application to parliament for a renewal of any privileges to the East India Company which will prevent British merchants and manufacturers from trading to and from India, and the other territories, within the present limits of the Company's exclusive trade, (the dominions of the emperor of China excepted) in ships and vessels hired or freighted by themselves, instead of being confined as at present, to ships in the service of the Company, or licensed by the court of directors."* In this first communication from government, there was no limitation as to the port of London; and he must remind the House in allusion to what had been said as to the ministers having proceeded upon popular clamour, occasioned by an unusual stagnation of trade, that this letter was written, not in a period of commercial distress, but in a year of extraordinary prosperity. At least, such the year 1808 was supposed to be, at that time; and the argument was not affected by any subsequent disappointments. Some time after this, the court of directors suggested that the imports should be confined to the port of London. Lord Melville's answer was, that it was probable that the revenue would be better secured by that restriction. In that view, it was a question in which the government alone was concerned; and although ministers were at first inclined to think that it might be advisable to confine the free trade to London in order to prevent smuggling, yet on a due consideration of the circumstances, they were of opinion that the injury which the outports would sustain by the exclusion was much greater than that which the revenue would suffer from the extension. The arguments of the delegates from the outports on this subject were verbally urged at conferences with ministers, and many of the same were urged in petitions to parliament; when therefore the Company desired to be made acquainted with the grounds of the present decision, his noble friend naturally referred them to the written documents. He told them in effect, that if they were curious upon the subject they might thus gratify their curiosity, for Mr. C. contended, that it was purely a matter for the decision of government, and that the Company had no right whatever to demand information. The hon. gentleman who had last spoken had laid great stress on the circumstance, that in 1793 government communicated to the Company evidence on the part of the outports in support of their allegations; and that in the present instance no such step had been resorted to. But the cases were different. In 1793 the ground of the application made by the merchants of the outports was the existence of what was styled the

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* See vol. 22, App. cxxiii.

'clandestine trade,' of which government until that moment were ignorant. Now, the ground of their application was one of notoriety—the trade carried on by foreigners, and known to the whole world for many years.

Of all the propositions that had been made, that of opening the trade to the port of London alone appeared to him to be the most preposterous. He certainly thought, or rather he should say, he had thought, that a great deal might be said in defence of the present system; he had thought so until he last night heard a right hon. gentleman (Mr. Tierney) advocate the arrangement as it now stood, but his speech persuaded him that he was deceived in his opinion. He could never, however, come to an understanding with that right hon. gentleman, unless they could agree in this;—that the natural state of things was the free trade, and that it rested with the advocates of the other side of the question to make out the reason of any restriction.

With respect to what had been said of the antiquity of the present system, and of its having stood the test of experience; Mr. C. observed, that the arrangement of 1793 had lasted only seven years. It was so inadequate to its purpose that it was found necessary to alter it in 1800. Much stress had been laid upon the opinion of the late lord Melville;—now, his lordship in 1793 had distinctly stated, that he did not think the exclusive trade essential to the Company's affairs; it was very true, that in 1801 or 1802, he had expressed himself more favourably towards the monopoly, but that was when he had a point to gain with the Company; he was endeavouring to persuade them to consent, during the exclusive charter, to certain modifications of it, and he naturally took pains to satisfy them that he had no stronger measure behind.

In reference to the additional freedom that had been given about that period, he must remind the House that it appeared from papers on the table, that immediately after the increased facilities afforded by lord Wellesley, the imports into India had been doubled; and they had continued upon the enlarged scale ever since. He owned that he did not quite understand this fact, but so it was; and as far as it proved any thing, it was in favour of freedom.

A great deal had been said by gentlemen on the other side, with respect to the evidence given against the free trade. He contended that the testimony of some of the most able of the witnesses was in its favour. Colonel Munro, and Mr. Cockburn, had both stated, that a free trade was desirable, because it would be beneficial to India. As to the danger arising from the intercourse, the House had a number of stories, and it was observable that different witnesses repeated the same, which seemed to evince in them a paucity of cases. One told of a cow that had been killed in the year 1670; another (general Kyd he believed) spoke of a great uproar raised in India by a monkey being shot near a pagoda. By whom?—By a cornet of horse:—if that proved any thing, it proved that we ought to recall all our dragoons. Even colonel Munro told the House of a poor man who had been kept out of his own house for a month, a case which excited the feeling of the House. By whom was this done? By a Dane; but, said colonel Munro, if it had been an Englishman he would have kicked the Hindoo out of the house! He must really submit that this evidence was trifling.

There was another part of the subject upon which he was very anxious. He could not but think that the observations of an hon. gentleman (Mr. Rickards) were more relevant to the matter than they had been considered by some gentlemen who had spoken. He did consider that the measure was to be looked at as it affected the natives of India; he appealed to the letter of lord Wellesley, dated 19th July 1804, relative to the native weavers (now on the table) as shewing the connection between the free trade and the prosperity of the people of Hindostan.

Restraining the desire which he felt to enlarge upon these topics, he would only say;—that in voting for the resolution, he was not sure that he was doing that which would be very beneficial either to this country or to India, but he was sure that he was bringing the business to the only certain test. He was satisfied that he was affording to that interesting people, as they had been justly stiled,—our fellow-subjects in Hindostan—the only chance which they had of being placed upon a footing of equal advantage with ourselves, and taking one step towards bringing about the period, if ever it was to arrive, in which the Hindoos would hold to the same laws with us, and (he for one would add) bow to the same God.

Mr. *Henry Thornton* said, that monopoly was in itself a thing that could not be looked to with complacency; but in considering the whole of the subject together he had come to much the same conclusion as his majesty's ministers, namely, that a qualified monopoly was the most advisable plan in the present state of India, and therefore he saw no serious objection to the extension of the China monopoly to twenty years. The general character of the Company was high in comparison with their competitors, as their trade was carried on in a manner much more liberal than private traders could adopt. The system which had enabled a nation of 10 or 12 millions of people to govern 60 millions with success, at a distance of 8,000 miles, must be in many respects a good one. It had insured to the people of India some of the best and greatest characters in this country for their governors; and had formed a check upon the government at home, so as to prevent the refuse of the country from being sent out. This must have had a great effect on the natives; and the utmost caution ought to be observed in producing a change. The character of the natives ought to be raised before a perfectly uncontrolled intercourse was allowed. Adverting, then, to the speech of an hon. gentleman opposite (Mr. Ricards), which had made a great impression, he stated, that he had since looked into the documents, and found that they did not at all bear out the conclusions of the hon. gentleman, that the land revenue system was a bad one. The comparison, as had been justly observed, ought to be made between the state of the people of India now, and their former condition. There could be no doubt but it was considerably ameliorated. He was, however, in favour of extending the advantage of our commerce with that country to a certain degree; but he must confess, his opinion was in favour of confining the extension, for a short period at least, to London.

Mr. *Preston* impressively animadverted upon the state of society in India described by the hon. gentleman who spoke last, in which society the many were extremely depressed, and the few extremely advanced. This he conceived to be a state which ought not to exist in any well regulated government; and sufficiently illustrated the nature of the comfort and happiness communicated by the India Company to their subjects, on which ground this Company had been so very loudly panegyrized.

General *Gascoyne* replied to several statements in the speech delivered by a right hon. gentleman (Mr. Tierney) last night. On the subject of the probable trade from the out-ports, if it were true, as so confidently stated, that only two or three ships were likely to be sent out by those ports, what danger could be apprehended by the India Company, from the proposed opening of the trade? Then as to the apprehension of extravagant speculations of the opening of this trade, there could be no serious ground for any such apprehension, for, independently of the usual caution of mercantile speculators, the event of the speculations to South America had served to teach a lesson calculated to prevent any extravagance on this point. Adverting to the speech of Mr. Ricards, which he thought entitled to particular attention, the hon. officer asked upon what ground certain gentlemen could feel themselves justified, after that speech, in so emphatically dwelling upon the slave trade, which his constituents of Liverpool praised only while it was sanctioned by the legislature, abandoning it as soon as the legislature, in its wisdom, thought proper to decree its abolition. But, admitting the most exaggerated description that had been sent forth with regard to the state of the slaves during the existence of the trade, what was that state compared to the situation of the Hindoos under the boasted government of the East India Company? From the evidence of Mr. Graham,* it appeared, that these people were wholly destitute of any comfort; that they resided in mud huts, without any article of accommodation but a wooden platter, worth something less than a farthing; without any furniture whatever, or any bed, but the bare ground; and, according to the deposition of colonel Monro,† ninety-nine out of every hundred of the Hindoo people were in that state, and hence it was that the conclusion was drawn as to the improbability of any increased demand for our manufactures in India. But with a people in such a state of misery, infinitely worse than any portion of our colonial slaves were ever even alleged to be—in a worse state, in fact, than our gypsies, or any other description of our subjects, how could the glowing panegyrics upon the government of the India Company which the House had heard be deemed even excusable? These Hindoos had, he observed, been often said to be immutable in their opinions, but while the absurdity of the assertion as to the immutability of their disposition had been fully shewn, it was, he thought, quite evident that they must continue immutable in wretchedness, if left under the system of government at present and so long administered by the India Company. The honourable officer described the mode of smuggling carried on by the agents of the India Company, which he could not but consider as wholly singular, particularly in respect to the landing of what were called presents, by which mode the revenue was defrauded in an extraordinary degree, by these professedly zealous opponents of smuggling, who, to prevent the evil, would confine the India trade to the port of London; but he had no doubt that smuggling could be as effectually prevented, and the trade in every other respect as well carried on in the ports of Liverpool, Bristol, and Hull, as in the ports of London. To prove this he knew that a variety of evidence could have been produced, and among others the comptrollers and collectors of the customs at the ports he had stated, if the production of such evidence had not been prevented by the delay which the India Company created through the number of witnesses they had brought forward, which witnesses although so very numerous, it was really not thought necessary, by the advocates for the outports, to rebut.

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* See vol. 25, p. 493.

† Ibid. p. 775.

Mr. *C. Grant*, jun. denied that he had stated the character and habits of the Hindoos to be immutable. He only said, that there was no great probability of an immediate or rapid improvement or change in their habits, manners and wants, such as some gentlemen had represented, or figured to themselves. That they had been engaged in foreign armies, and still remained the same in their own modes and customs, only proved how trifling was the prospect of their emerging out of their prejudices, and he had mentioned their religion as one of the strongest of those prejudices. He had defended the present system of government in India, not as an hon. gentleman would represent, on the ground of the respect due to its antiquity, but on its merits. He had opposed the Catholic system as being radically bad; he supported the present system of government in India as being radically good. The Catholics did not look to the law for protection—the Indians did. If, however, there was not danger in this innovation, as some gentlemen would insinuate, why not grant an unrestrained trade? It was, he contended, from the stated periodical sales alone, that the Company were enabled to answer their home demands, amounting to four millions, and if these regular sales were broken in upon, the regular payments, and of course, the credit of the Company, must be destroyed. The right of sending out free merchants, too, which was now in the Company, and which it was proposed to transfer over to the government, would be productive of injurious effects to this country, by extending ministerial political influence.

Mr. *Thomas Courtenay* said a few words in explanation of some points alluded to by the honourable gentleman who spoke last.

Mr. *Robert Thornton* said, the only charge against the Company as far as he could conceive it, was this, that they had governed India well. If the present material change was to be thrust upon them, they could only say, they received it as it was given. He spoke here not as a proprietor of East India stock, but as entirely British and Asiatic. If the Company were not entitled to what they asked, let them not have it. India was the jewel upon which the Tyrant of the Continent had, for years, been eagerly bent, and he had not had it; on the contrary, it was now, more than at any former period, secure from his grasp. It was the East India Company that had done this, while hardly another object of his ambition had been able successfully to oppose his efforts. The Company had secured India at great expence and peril; let this country think well before they, by adopting the present measure, endangered its safety. The Company had governed India well, else a handful of Europeans could never have governed sixty millions of people. The natives had trusted the Company for a while, and now the Company governed them by affection more than by their army. Mr. Hastings in his writings had said, that there would be an instantaneous fall of the country of India, whenever a change of opinion as to its government took place. The House was now risking this instantaneous fall by the present innovation, and let them recollect, that if they once lost India, they lost it for ever. He did not say, that the habits of the Indians were immutable, particularly in religious matters, but any change in their habits and opinions was more likely to be effected by the Company, than by any other description of persons, and this must be done gradually and slowly. In continuing the trade to the port of London, they conferred a benefit on the whole country, and in a peculiar manner on the 50,000 inhabitants along the banks of the Thames, who by the present measure must be set aside. Gentlemen talked of giving the trade back to the Company, if the measure proposed should not succeed. But how could the trade be given back to them after the establishment was destroyed? It was easy to destroy, but it was not so easy to build up again. Let the House agree to the measure now proposed, and in a few years—a very few years—they would see those very petitioners who were now contending for an open trade, again coming to the bar, telling them that they had been deceived; that instead of a boon, the House had conferred on them a serious evil; and that they must give them the China trade to make them some amends. In this way would the country lose the trade of China, as, by the present measure, there was every reason to apprehend they must lose the territory of India. The Company must submit to such terms as the House chose to impose on them, but they could not commit *felo de se*, or assassinate themselves by agreeing to such a measure as the present without using against it every remonstrance in their power.

Sir *Nicholas Coulthurst* relied most confidently on the wisdom of parliament, and thought the most politic course had been adopted by government. It had his cordial approbation, particularly that part of it which was contained in the resolution now before the committee.

Mr. *A. Robinson* spoke in favour of the Company's claims. Although he did not wish for a continuance of all parts of the old system, he was afraid that they were about to open the doors more than was consistent either with the true interests of India or of Great Britain.

Colonel *Lowther* was an advocate for the old system, and the rights of the Company. Parliament ought, he said, to take proper steps for reconciling the native troops and those of the King. There were many discontents among them, which ought to be removed. It was upon the native troops, principally, that the continuance of our Indian empire depended.

Mr. *Staniforth* spoke against the monopoly. He disapproved of the term of one month, allowed to the Company in the Resolution for granting or refusing licences. A few years ago he was refused leave by the Company to import hemp from India on his own account, and in his own ships. They assigned no reason, but that it might injure or ruin him. But this was no argument. He complained of the delays experienced by merchants at all concerned with the East India Company, particularly when applying for licences, and wished to know how the circuitous intercourse was to be arranged.

Lord *Castlereagh* repeated what he had stated in his opening speech, that it was the intention of government to reserve the question on the circuitous trade for after consideration. It was their wish to give it a liberal latitude, and so to manage it, as to enable the merchants to meet every market on fair terms. With respect to the delays complained of respecting licences, he apprehended there could be no objection to reducing the period within which they were to be granted, after application was made, from a month to 14 days. The latter period, he thought, would give sufficient time to the directors to consider of any application they might receive.

Mr. *Charles Grant*, sen. supported the statements which he had formerly made, by ample and ingenious calculations, which tended to show the increasing prosperity of the people of India in manufactures and agriculture, under the excellent management of the Company. The natives had been represented as bad agriculturists, living in miserable hovels, destitute of furniture, suffering oftentimes for want of provisions, and altogether wretched in their appearance. These misfortunes, however, were not attributable to the mismanagement of the Company. The people, in their habits and dispositions, were unchangeable, and under the dominion of their princes they continued for many centuries, in the cultivation of the grounds in strict conformity to the modes of their ancestors, son succeeding sire, and century succeeding century, without suffering any alteration in their mode of agriculture. But the difference was remarkable wherever the Company had the influence to introduce a better system of husbandry; for the very worst form in which the Company's government had ever appeared, was infinitely superior to that of the natives. The face of the country was immediately changed, the natives exerted themselves with much assiduity, under the direction of Europeans, and wheat, barley, cotton, rice, sugar, &c. were every where abundant. The tax paid on the produce of the land was one-third of its amount, but this was the principal tax, while in England the amount of the taxes was supposed to be 50 per cent. on the whole income of the country. The hon. gentleman contended, that the change of system would be injurious to the government of the Company in India, and dangerous to the interests of this country.

The *Chancellor of the Exchequer* contended, that the measure proposed would not have the effect of admitting strangers into India. The question for discussion was, in fact, very narrow, though the advocates of the Company had endeavoured to put it on a broad ground. The difference between the Company and the government, was merely that the Company did not wish the extension of imports to the out-ports of the united kingdom. It was evident, however, that any danger of an influx of strangers into India, would arise from vessels sailing from this kingdom, not from their returning hither. The right hon. gentleman then contended, that an increase of the exports to India might hereafter take place, from the vast increase which had actually happened on some articles. The export of cotton goods to that country, had for some time increased two-fold in every five years, in geometrical progression. This was in an article, too, which had been considered to be one in which the Indian manufactures were unrivalled. Leather, woollen goods, and other articles, had increased greatly, though not in the same enormous proportion. The profit accruing to the Company from the Indian trade was, if any thing, too inconsiderable to form any support to their government. By one calculation it was made to amount to two millions, since the renewal of the charter in 1793, but it was found that the interest had been forgotten. This formed a deduction of about 1,400,000*l.*, and in addition to this it was to be considered that the interest was often for two years, and at the Indian rate. Thus, as the charge amounted to 1,400,000*l.* under a calculation at 5 per cent. and for one year on each investment, the real amount must have been much greater. The directors, being thus deprived of nothing valuable, and having secured to them the administration of a noble empire and a most valuable branch of trade, namely, that to China, could not with propriety be dissatisfied. The measure proposed to be adopted would not tend to make the Company abandon their trade; the traffic of China was reserved for them exclusively, and they would find that the participation of the private traders to the extent proposed would not discourage the trade which they at present enjoyed. The Resolutions submitted to the Committee were founded on sound legislative principles, and intended for the welfare of England and those extensive districts under the dominion of the Company. The purposes of the measure were to regulate the introduction of Europeans into India, to maintain the present happiness of the people, and promote the future; to cherish the manufactures at home, by permitting the importation of the raw materials from India, to encourage the people of India by the exportation of British manufactures in their industrious habits; and on the whole to promote civilization, enlarge trade, and increase the revenue.

Mr. *Grant*, sen. maintained the accuracy of his former statements, to which the Chancellor of the Exchequer could not entirely agree.

Mr. *Forbes* spoke at length against the monopoly of the East India Company, and in favour of opening the trade; contending that the consumption of English manufactures, particularly piece goods, had much increased within the last 20 years, and could be still increased in a very great degree. He maintained, that the trade of India could be made advantageons to the private trader as well as to the Company, who could make their remittances through them, with advantage.

Lord *Castlereagh* had all along maintained that principle, and contended strongly, that the Company ought, in regard to their own interest, and to those of the public, fairly to abandon the trade to India, by which they were losers, which was obnoxious, and supposed to be injurious to others, in order to limit their attention to their trade to China, and to the exercise of those political functions they had hitherto filled with so much credit to themselves, and so much advantage to the country. He had completely made up his mind, that the new plan was wise, practicable, and necessary.

Mr. *Grant*, sen. desired that the Court of Directors might have the intentions of government in writing, in order to take them into consideration, as this placed the question in a new light; but

Lord *Castlereagh* declined the proposition, as the views of government had already been completely explained last Monday, in a conference which the noble earl at the head of the Board of Control and himself had with the chairman and deputy chairman of the Court of Directors.

Mr. *Canning*, at that late hour, and considering that many other opportunities would offer for debating the different branches of the question, did not feel disposed to trespass on the time of the Committee. He then shortly replied to the arguments advanced by the advocates for the cause of the Company. He was anxious that the House should come to a vote upon the question before them, and that the whole subject should, if possible, be decided during that session. He thought that delay was to be deprecated by all parties, but more especially by the East India Company. He defended the proposed system, against the two principal arguments that had been advanced against it: first, that it would produce no benefit to the private merchant; and next, that government, while they pretended to throw the trade open, had imposed restrictions which defeated the object. He repeated that he was particularly anxious the Resolutions should be voted that night, because, if the business were left over till next session, should peace be concluded with America, or any other power, it would entirely alter the features of the case.

Sir *J. Newport* said, that if peace with America, or any other power, would change the features of the case, it was an argument against granting any charter to the Company; because, by granting a charter, the discretion of parliament would be tied up for a certain period. He observed on the inconsistency of the right hon. gentleman as well as all those who supported half measures like the present, when their arguments necessarily went to the complete abolition of the monopoly.

Mr. *Ponsonby* rose and said, that he considered the Resolutions now before the Committee of such importance that he should take an opportunity, on a future occasion, to move an amendment, that the charter of the East India Company, even in its limited form, should only be renewed for seven years; if he should fail in this attempt he should divide the House upon the question that the period be ten years, and if still unsuccessful, he should endeavour to postpone the whole of this important subject until next session.

Strangers were ordered then to withdraw for a division, but

Mr. *Tierney* rose and observed, that he should not think it necessary to take the sense of the Committee now upon the question before it, but should reserve himself until the Report was brought up, when he would propose an amendment.

Lord *Castlereagh* begged to be informed generally what was the nature of the amendment to be suggested?

Mr. *Tierney* replied, that he did not mean to pledge himself as to the mode of proceeding he should adopt, but as at present advised, he should move several declaratory Resolutions upon topics not disputed—such as the excellent political administration of the affairs of India by the Company. He should then suggest other amendments to the plan of the noble lord, the effect of which would be to alter entirely the system he had laid before the House, and to renew, nearly in its old form, the charter of the Company. He also gave some explanation of a point upon which he had last night been misconceived.

The question upon the third Resolution was then put and carried in the affirmative without a division.

Mr. *Lushington*, the chairman, then proceeded to read the remaining Resolutions, the fourth and fifth of which were agreed to with a slight verbal amendment. When he arrived at that which respected the licences to be given to private ships by the Board of Controul,

Mr. *Canning* expressed his intention, on the bringing up of the Report, to move an amendment, to provide more effectually that no licences should be granted from motives of personal favour, and to place the whole upon a general system. With regard to the wording of the licence, he should also have several suggestions to make.

Lord *Castlereagh* agreed that some alterations in the form of the licence, as well as of the plan, might be desirable; he allowed that the licensing system was bad, but in some cases unavoidable.

After some further conversation, in which Messrs. Tierney, Canning, C.

Grant, and Robinson took a part, the several provisoes connected with this Resolution were agreed to.

Mr. *Tierney* expressed a wish that Mr. Ponsonby would fix the time when he meant, as he proposed, to take the sense of the House upon the propriety of postponing the further consideration of this measure until next session, but Mr. Ponsonby reserved the decision of this point.

Upon the reading of the 13th Resolution, which relates to the introduction of missionaries into India,

Mr. *Forbes* forcibly felt it his duty to oppose this Resolution, convinced as he was that its adoption would lead to the loss of India to this country.

Lord *Castlereagh* wished merely for the present the adoption of this Resolution *pro forma*. At the same time he must express his hope, as he beforementioned, that this question should not be discussed in that House, such discussion being too likely to produce mischief in India.

Mr. *Whitbread* ridiculed the idea of deprecating discussion upon this or any other question which the House was required to decide.

Mr. *Ponsonby* followed on the same side, conceiving it a most singular case, that while the carrying of the measure was to produce no evil, to talk of it would be ruin.

This Resolution, and the 14th also, were agreed to. The House being resumed, the Report of the Committee was ordered to be now received.

RESOLUTIONS RESPECTING THE AFFAIRS OF THE EAST INDIA COMPANY.] Mr. Lushington accordingly reported from the Committee, the following Resolutions:

1. " Resolved, That it is the opinion of this Committee, that it is expedient, that all the privileges, authorities, and immunities, granted to the United Company of Merchants trading to the East Indies, by virtue of any act or acts of parliament now in force, and all rules, regulations, and clauses, affecting the same, shall continue and be in force for a time to be limited, except as far as the same may hereinafter be modified and repealed.

2. " Resolved, That it is the opinion of this Committee, that the existing restraints respecting the commercial intercourse with China, shall be continued, and that the exclusive trade in tea shall be preserved to the said Company, for a time to be limited.

3. " Resolved, That it is the opinion of this Committee, that, subject to the provisions contained in the preceding Resolution, it shall be lawful for any of his Majesty's subjects to export any goods, wares, or merchandize, which can now or may hereafter be legally exported from any port in the United Kingdom to any port within the limits of the charter of the said Company, as hereinafter provided: and that all ships navigated according to law, proceeding from any port within the limits of the Company's charter, and being provided with regular manifests from the last port of clearance, shall respectively be permitted to import any goods, wares, and merchandize, the product and manufacture of any countries within the said limits, into any ports in the United Kingdom which may be provided with warehouses, together with wet docks or basins, or such other securities as shall, in the judgment of the Commissioners of the Treasury in Great Britain and Ireland respectively, be fit and proper for the deposit and safe custody of all such goods, wares, and merchandize, as well as for the collection of all duties payable thereon, and shall have been so declared by the orders of his Majesty in council in Great Britain, or by the order of the Lord Lieutenant in council in Ireland: Provided always, that copies of all such orders in council shall be laid before both Houses of Parliament in the session next ensuing.

" Provided also, That no ship or vessel of less than 350 tons, registered measurement, shall be permitted to clear out from any port in the United Kingdom, for any port or place within the limits aforesaid, or be admitted to entry in any port of the United Kingdom, from any place within those limits.

" Provided also, That no ship or vessel shall proceed to any place within the limits of the Company's charter without a licence to be granted for that purpose; and that no ship or vessel clearing out from any port within the United Kingdom, shall proceed to any port or place within the limits of the Company's charter, and under the government of the said Company, except to one of their principal settlements of Fort William, Fort St. George, Bombay, and Prince of Wales's Island, and that every ship so proceeding shall be furnished with a licence for that purpose from the Court of Directors.

" Provided always, That nothing herein contained shall be construed to prevent any ship or vessel from proceeding to any place within the limits aforesaid, under the especial authority of the Commissioners for the Affairs of India; but that all applications for licences to proceed to any place, not being one of the principal settlements of the said Company, shall be made to the Court of Directors, who shall, within fourteen days from the date thereof, transmit the same to the Commissioners for the Affairs of India, with any representation which the said court may think proper to make, upon the subject of such application; and that the said court, if directed so to do by the Commissioners for the Affairs of India, shall issue their licence or licences accordingly.

" Provided also, That no ship shall be permitted to clear out from any port of the United Kingdom for India, unless attested lists in duplicate shall have been delivered to the principal officer of the customs at the port of clearance, specifying the number and description of all persons embarked on board of the said ship, and all arms laden therein; and that all persons proceeding upon such ships shall, upon their arrival in India, be subject to all the existing regulations of the local governments, and to all other rules and regulations that may hereafter be established, with regard to the European subjects of his Majesty, resident in India.

" Provided also, That upon any application made to the Court of Directors, by or on behalf of any person desirous of proceeding to India, the Court of Directors (unless they shall think fit to grant a licence for that purpose), shall transmit every such application, within the term of one month from the delivery thereof, to the Commissioners for the Affairs of India, who, if they shall see no objection thereto, may, and they are hereby authorized to direct that such person or persons should, at the special charge of him or them, be permitted to proceed to India, and that any such person or persons so desiring to proceed, shall be furnished with a certificate by the Court of Directors, according to such form as shall be prescribed by the said commissioners, signifying that such person or persons have so proceeded with the cognizance and under the sanction of the said Court of Directors, and that all such certificates shall be considered by the governments in India as entitling such persons, while they shall properly conduct themselves, to countenance and protection in their several pursuits; subject to all such provisions and restrictions as now are in force, or may hereafter be judged necessary with regard to persons residing in India; provided always, that the said court shall be at liberty to offer such representations to the said commissioners, respecting persons so applying for permission to reside in India, as they may at any time think proper.

" Provided also, That no such ship which shall have proceeded as aforesaid, shall be admitted to entry in any port of the United Kingdom, without a regular manifest, duly certified, according to such regulations as may hereafter be enacted.

" Provided also, That no article manufactured of silk, hair, or cotton wool, or any mixture thereof, shall be entered or taken out of any warehouse, except for exportation, unless the same shall have been brought into the port of London, and deposited in the warehouses of the said United Company, and that all such articles shall by them be exposed to public sale by auction, in order to ascertain the duties payable thereupon; and in all other ports, as well as the port of London, such articles, when entered and taken out for exportation, shall be charged according to their value, under the regulations legally applicable in other cases to duties payable *ad valorem.*

" Provided also, That on the return of every ship from India, lists of her crew, specifying the number and description of all persons embarked on board the said ship, and all arms laden therein, shall be delivered to an officer of the customs at the first port at which she shall arrive, and shall be by him transmitted to the Court of Directors, according to and subject to such provisions as may be made, with a view to the discovery of any British subject who may have gone to or remained in India contrary to law.

4. " Resolved, That it is the opinion of this Committee, that as long as the government of India shall be administered under the authority of the said Company, according to the provisions, limitations, and regulations hereafter to be enacted, the rents, revenues, and profits arising from the territorial acquisitions in India, shall, after defraying the expences of collecting the same, with the several charges and stipulated payments to which the revenues are subject, be applied and disposed of according to the following order of preference:—

" In the first place, in defraying all the charges and expences of raising and maintaining the forces, as well European as native, artillery and marine, on the establishments in India, and of maintaining the forts and garrisons there, and providing warlike and naval stores.—2dly, In the payment of the interest accruing on the debts owing, or which may hereafter be incurred by the said Company in India. —3dly, In defraying the civil and commercial establishments at the several settlements there.—4thly, That the whole or any part of any surplus that may remain of the above described rents, revenues, and profits, after providing for the several appropriations, and defraying the several charges before-mentioned, shall be applied to the provision of the Company's investment in India, in remittances to China for the provision of investments there, or towards the liquidation of debts in India, or such other purposes as the Court of Directors, with the approbation of the Board of Commissioners, shall from time to time direct.

" Provided always, that the appropriation aforesaid, shall not extend, or be construed to extend, to prejudice or affect the undoubted sovereignty of the crown of the United Kingdom of Great Britain and Ireland in and over the said territorial acquisitions, nor to preclude the said United Company from the enjoyment of, or claim to any rights of property they now have, or to which they may hereafter be entitled, within the territories aforesaid.

5. " Resolved, That it is the opinion of this Committee, that the receipts into the Company's treasury in England, from the proceeds of the sales of their goods, and from the profits arising from private and privileged trade, or in any other manner, shall be applied and disposed of as follows:—First, in payment of bills of exchange already accepted by the Company, as the same shall become due.—2dly, For the current payment of debts (the principal of the bond debt in England always excepted) as well as interest, and the commercial charges and expences of the said Company.—3dly, In payment of a dividend of ten pounds per cent. on the present, or any future amount of the capital stock of the said Company; also in the payment of a further dividend of ten shillings per cent. upon such capital stock, after the separate fund upon which the same was originally charged by the 124th clause of the 33d Geo. 3, cap. 52, shall have been exhausted; the said payments respectively to be made half-yearly. —4thly, In the reduction of the principal of the debt in India, or of the bond debt at home, as the Court of Directors, with the approbation of the Board of Commissioners, shall from time to time direct.

6. " Resolved, That it is the opinion of this Committee, that when the principal of the debt, bearing interest in India, shall have been reduced to the sum of ten millions of pounds sterling, calculated at the exchange of 2*s.* the Bengal current rupee; 8*s.* the Madras pagoda; and 2*s.* 3*d.* the Bombay rupee, and the bonded debt in England shall have been reduced to the sum of three millions of pounds sterling; then and thereafter the surplus proceeds which shall be found to arise from the revenues of India, and the profits upon the trade, after providing for the payments aforesaid, shall be applied to the more speedy repayment of the capital of any public funds or securities which have been, or may be created for the use of the said Company, the charges of which have been, or may be directed to be borne by the said Company, in virtue of any act or acts of parliament; and that any further surplus that may arise shall be set apart, and from time to time paid into the receipt of his Majesty's exchequer, to be applied as parliament shall direct, without any interest to be paid to the Company, in respect or for the use thereof, but nevertheless to be considered and declared as an effectual security to the said Company, for the capital stock of the said Company, and for the dividend of 10½ per cent. per annum, in respect thereof, not exceeding the sum of twelve millions of pounds sterling; and that of the excess of such payments, if any, beyond the said amount of twelve millions, one sixth part shall, from time to time, be reserved and retained by the said Company for their own use and benefit, and the remaining five-sixths shall be deemed and declared the property of the public, and at the disposal of parliament.

" Provided also, that if the Company's debts in India, after the same shall have been reduced to 10,000,000*l.* sterling, shall be again increased beyond the amount, or if their bond debt in England, after the same shall have been reduced to 3,000,000*l.* shall be again increased beyond that sum, then, and so often as either of these cases shall happen, the surplus proceeds shall be appropriated to the reduction of such new debts respectively, until the debts in

India shall be again reduced to 10,000,000*l.* sterling, and the bond debt in England to 3,000,000*l.* sterling.

7. "Resolved, That it is the opinion of this Committee, that the said Company shall direct and order their books of account, at their several presidencies and settlements in India, at their factory in China, at the island of Saint Helena, or elsewhere, and also in England, to be so kept and arranged, as that the same shall contain and exhibit the receipts, disbursements, debts, and assets appertaining to, or connected with, the territorial, political, and commercial branches of their affairs; and that the same shall be made up in such manner, that the said books shall contain and exhibit the accounts of the territorial and political departments separately and distinctly from such as appertain to, or are connected with, the commercial branch of their affairs; and that the arrangement of accounts so to be made shall be submitted to the approbation and sanction of the Board of Commissioners for the Affairs of India.

8. "Resolved, That it is the opinion of this Committee, that it is expedient that ships built within the British territories in the East Indies, and employed in the commerce between India and the United Kingdom, should, during the present war, and for eighteen months after the conclusion thereof, be permitted to import any goods, wares, or merchandize, the produce or manufacture of any countries within the limits of the East India Company's charter, except as aforesaid, or to export any goods, wares, or merchandize from the United Kingdom to the British settlements in the East Indies, or to any of the places within the said limits, in the same manner as ships British-built, and duly registered as such; and that, after the expiration of the period above-mentioned, the said India-built ships should be liable to such other provisions as parliament may from time to time enact, for the further increase and encouragement of shipping and navigation; and that effectual provision should be made, at the charge of the owners and commanders of such ships, for the maintenance, while in the United Kingdom, of the Asiatic sailors employed in the navigation, and for the return of such sailors to their native country.

9. "Resolved, That it is the opinion of this Committee, that it is expedient to make provision for further limiting the granting of gratuities and pensions to officers, civil and military, or increasing the same, or creating any new establishments at home, in such manner as may effectually protect the funds of the said Company.

10. "Resolved, That it is the opinion of this Committee, that all vacancies happening in the office of governor general of Fort William, in Bengal, or of governor of either of the Company's presidencies or settlements of Fort St. George or Bombay, or of governor of the forts and garrisons of Fort William, Fort St. George, or Bombay, or of commander in chief of all the forces in India, or of any provincial commander in chief of the forces there, shall continue to be filled up and supplied by the Court of Directors of the said United Company, subject nevertheless to the approbation of his Majesty, to be signified in writing under his royal sign manual, countersigned by the president of the Board of Commissioners for the Affairs of India.

11. "Resolved, That it is the opinion of this Committee, that the number of his Majesty's troops in India to be in future maintained by the said Company, be limited; and that any augmentation of force exceeding the number so to be limited shall, unless employed at the express requisition of the said Company, be at the public charge.

12. "Resolved, That it is the opinion of this Committee, that it is expedient that the Church establishment in the British territories in the East Indies should be placed under the superintendence of a Bishop and three Archdeacons, and that adequate provision should be made, from the territorial revenues of India, for their maintenance.

13. "Resolved, That it is the opinion of this Committee, that it is the duty of this country to promote the interest and happiness of the native inhabitants of the British dominions in India, and that such measures ought to be adopted, as may tend to the introduction among them of useful knowledge, and of religious and moral improvement. That, in the furtherance of the above objects, sufficient facilities shall be afforded by law, to persons desirous of going to, and remaining in India for the purpose of accomplishing those benevolent designs.

"Provided always, that the authority of the local governments respecting the intercourse of Europeans with the interior of the country, be preserved, and that the principles of the British government, on which the natives of India have hitherto relied for the free exercise of their religion, be inviolably maintained.

14. "Resolved, That it is the opinion of this Committee, that it is expedient, that the statutes and regulations framed, or to be framed by the Court of Directors, for the good goverment of the college established by the East India Company, in the county of Hertford, and of the military seminary of the said Company, in the county of Kent, as well as the establishment of offices connected therewith, or the appointment of persons to fill such offices, be subject to the controul and regulation of the Commissioners for the Affairs of India; and that the power and authority of the Board of Commissioners for the Affairs of India, shall be construed to extend to the issuing or sending orders or instructions to the Court of Directors, for the purpose of their being transmitted to India, respecting the rules and regulations and establishments of the respective colleges at Calcutta and Fort St. George, or any other seminaries which may be hereafter established under the authority of the local governments.

"Provided always, that no writer shall be appointed into the service of the said Company at any of the presidencies of Fort William, Fort St. George, and Bombay, who shall not have received a course of instruction at the said college of Hertford."

Ordered, That the Report be taken into further consideration upon Friday.

HOUSE OF LORDS.

Friday, June 11.

Treaty with Sweden.] The Earl of *Liverpool* said, he presented, by order of his royal highesss the Prince Regent, a copy of the Treaty of Concert and Subsidy between this country and Sweden; and he proposed that the same should be taken into consideration on Wednesday, for which day he should now move that the Lords be summoned.

The Earl of *Lauderdale* perceived that much inconvenience would attend the discussion on this subject being fixed for Wednesday. Several circumstances rendered it extremely inconvenient to himself, and he was certain it would be equally inconvenient for several other noble lords. He had another objection to Wednesday, because it was a day never appropriated to such very important subjects as that of this Treaty with Sweden; and it was also a day, which, by their late regulations, was to be considered free from subsequent debate. For these reasons, he trusted the noble earl would have no objection that Thursday might be appointed.

The Earl of *Liverpool* had no objection.

The copy of the Treaty was laid on the table, and it was ordered that the Lords be summoned for Thursday.

Ventilation of the House.] The Earl of *Darnley* considered it his duty to call their lordships' attention to the state of the atmosphere, and the great inconvenience which consequently arose on any night when the House was crowded on account of a debate. This subject had been several times under consideration, and had particularly been attended to by an individual (sir H. Davy) whom all their lordships could not too much admire for those scientific talents which he possessed. Still he (lord D.) had made more enquiries with respect to a better mode of ventilation than the present, and from the information he had received, he had no doubt but considerable improvement might be made. He believed that the holes which had been made in the floor were very wisely contrived for the purpose, if they had not been made in improper places, and perhaps there was also an impropriety, in admitting by that mode, such a quantity of hot air. For the present he should make no motion on the subject, but would recommend that the fire-place, contrived over the House, should, on the next night of debate, have a large fire in it, and then they would have an opportunity of ascertaining whether it would answer the purpose for which it was planned, namely, that of causing a draught of air in the House through the ventilators at the top, and thus rendering a fresh circulation of air through the building. From the effect, it would be seen, whether it might not be prudent to have more fires of that description, and whether holes for the admission of air might not be made rather in the walls than in their present situation. The noble earl made no motion on the subject; but it was intimated from the House that this experiment might be made.

HOUSE OF COMMONS.

Friday, June 11.

TREATY WITH SWEDEN.] Lord Castlereagh presented to the House, by command of the Prince Regent, a copy of the

TREATY OF CONCERT AND SUBSIDY BETWEEN HIS BRITANNIC MAJESTY AND THE KING OF SWEDEN; *Signed at Stockholm, March 3,* 1813.

In the Name of the Most Holy and Undivided Trinity.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of Sweden, equally animated with the desire of drawing closer the ties of friendship and good intelligence which so happily subsist between them, and penetrated with the urgent necessity of establishing with each other a close concert for the maintenance of the independence of the North, and in order to accelerate the so much wished for epocha of a general peace, have agreed to provide for this twofold object by the present Treaty. For this purpose they have chosen for their plenipotentiaries, namely, his royal highness the Prince Regent, in the name and on behalf of his Majesty the King of the United Kingdom of Great Britain and Ireland, the honourable Alexander Hope, major-general of his Majesty's armies; and Edward Thornton, esq. his envoy extraordinary and minister plenipotentiary to his Majesty the King of Sweden; and his Majesty the King of Sweden, Lawrence count d'Engestrom, one of the lords of the kingdom of Sweden, minister of state and for foreign affairs, chancellor of the university of Lund, knight commander of the king's orders, knight of the royal Order of Charles XIII, Great Eagle of the Legion of Honour of France; and Gustavus baron de Wetterstedt, chancellor of the court, commander of the Order of the Polar Star, and one of the eighteen of the Swedish Academy; who, after having exchanged their respective full powers, found in good and due form, have agreed upon the following Articles:—

ART. I. His Majesty the King of Sweden engages to employ a corps of not less than 30,000 men, in a direct operation upon the continent against the common enemies of the two high contracting parties. This army shall act in concert with the Russian troops placed under the command of his royal highness the Prince Royal of Sweden, according to stipulations to this effect already existing between the courts of Stockholm and St. Petersburg.

ART. II. The said courts having communicated to his Britannic Majesty the engagements subsisting between them, and having formally demanded his said Majesty's accession thereto, and his Majesty the King of Sweden having, by the stipulations contained in the preceding Article, given a proof of the desire which animates him to contribute also on his part to the success of the common cause; his Britannic Majesty being desirous in return to give an immediate and unequivocal proof of his resolution to join his interests to those of Sweden and Russia, promises and engages by the present Treaty to accede to the conventions already existing between those two powers, insomuch that his Britannic Majesty will not only not oppose any obstacle to the annexation and union in perpetuity of the kingdom of Norway as an integral part, to the kingdom of Sweden, but also will assist the views of his Majesty the King of Sweden to that effect, either by his good offices, or by employing, if it should be necessary, his naval co-operation in concert with the Swedish or Russian forces. It is nevertheless to be understood, that recourse shall not be had to force for effecting the union of Norway to Sweden, unless his Majesty the King of Denmark shall have previously refused to join the alliance of the North, upon the conditions stipulated in the engagements subsisting between the courts of Stockholm and St. Petersburgh; and his Majesty the King of Sweden engages, that this union shall take place with every possible regard and consideration for the happiness and liberty of the people of Norway.

ART. III. In order to give more effect to the engagements contracted by his Majesty the King of Sweden in the first Article of the present Treaty, which have for object direct operations against the common enemies of the two powers, and in order to put his Swedish Majesty in a state to begin without loss of time, and so soon as the season shall permit, the said operations, his Britannic Majesty engages to furnish to his Majesty the King of Sweden, independently of other succours which general circumstances may place at his disposal, for the service of the campaign of the present year, as well as for the equipment, the transport and maintenance of the troops, the sum of One Million sterling, payable at London monthly, to the agent who shall be authorised by his Swedish Majesty to receive the same, in such manner as not to exceed the payment of two hundred thousand pounds sterling each month, until the whole shall be paid.

Art. IV. It is agreed between the high contracting parties, that an advance, of which the amount and the time of payment shall be determined between them, and which is to be deducted from the million before stipulated, shall be made to his Majesty the King of Sweden for the *mise en campagne*, and for the first march of the troops; the remainder of the before-mentioned succours are to commence from the day of the landing of the Swedish army, as it is stipulated by the two high contracting parties in the first Article of the present Treaty.

Art. V. The two high contracting parties being desirous of giving a solid and lasting guarantee to their relations, as well political as commercial, his Britannic Majesty, animated with a desire to give to his ally evident proofs of his sincere friendship, consents to cede to his Majesty the King of Sweden, and to his successors to the crown of Sweden, in the order of succession established by his said Majesty, and the states-general of his kingdom, under date the 26th of September, 1810, the possession of Guadaloupe in the West Indies, and to transfer to his Swedish Majesty all the rights of his Britannic Majesty over that island, in so far as his said Majesty actually possesses the same. This colony should be given up to the commissioners of his Majesty the King of Sweden in the course of the month of August in the present year, or three months after the landing of the Swedish troops on the continent; the whole to take place according to the conditions agreed upon between the two high contracting parties, in the separate Article annexed to the present Treaty.

Art. VI. As a reciprocal consequence of what has been stipulated in the preced-ceding Article, his Majesty the King of Sweden engages to grant, for the space of 20 years, to take date from the exchange of the ratifications of the present Treaty, to the subjects of his Britannic Majesty, the right of *entrepot* in the ports of Gottenburg, Carlsham, and Stralsund, (whenever this last-mentioned place shall return under the Swedish dominion) for all commodities, productions, or merchandize, whether of Great Britain or of her colonies, laden on board British or Swedish vessels. The said commodities or merchandise, whether they be of such kind as may be introduced and subject to duty in Sweden, or whether their introduction be prohibited, shall pay without distinction, as duty of *entrepot*, one per cent. *ad valorem*, upon entry, and the same upon discharge. As to every other particular relating to this object, the general regulations existing in Sweden shall be conformed to; treating always the subjects of his Britannic Majesty upon the footing of the most favoured nations.

Art. VII. From the day of the signature of the present Treaty, his Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of Sweden, reciprocally promise not to separate their mutual interests, and particularly those of Sweden which are referred to in the present Treaty, in any negociation whatever with their common enemies.

Art. VIII. The ratification of the present Treaty shall be exchanged at Stockholm within four weeks, or sooner if possible.

In faith of which, we the undersigned, in virtue of our full powers, have signed the present Treaty, and have affixed thereto the seals of our arms.

Done at Stockholm, the 3d March, in the year of our Lord 1813.

Alexander Hope.
(L. S.) Le Comte D'Engestrom.
Edward Thornton. (L. S.)
(L. S.) G. Baron de Wetterstedt.
(L. S.)

Separate Article.

As a consequence of the cession made by his Britannic Majesty, in the 5th Article of the Treaty signed this day, of the island of Guadaloupe, his Majesty the King of Sweden engages:—

1. Faithfully to fulfil and observe the stipulations of the capitulation of the said island, under date the 5th of February, 1810, so that all the privileges, rights, benefices, and prerogatives, confirmed by that act to the inhabitants of the colony, shall be preserved and maintained.

2. To take for this purpose, previous to the cession before-mentioned, every engagement which may be judged necessary with his Britannic Majesty, and to execute all acts conformable thereto.

3. To grant to the inhabitants of Guadaloupe the same protection and the same

advantages which the other subjects of his Majesty the King of Sweden enjoy, conformably always to the laws and stipulations actually existing in Sweden.

4. To forbid and prohibit, at the period of the cession, the introduction of slaves from Africa into the said island, and the other possessions in the West Indies of his Swedish Majesty, and not to permit Swedish subjects to engage in the slave trade; an engagement which his Swedish Majesty is the more willing to contract, as this traffic has never been authorised by him.

5. To exclude, during the continuance of the present war, all armed vessels and privateers belonging to states at war with Great Britain, from the ports and harbours of Guadaloupe; and not to permit in any future wars in which Great Britain may be engaged and Sweden remain neutral, the entrance into the ports of the said colony of the privateers belonging to any of the belligerent states.

6. Not to alienate the said island without the consent of his Britannic Majesty; and

7. To grant every protection and security to British subjects and to their property, whether they may choose to quit the colony or to remain there.

This separate Article shall have the same force and effect, as if it were inserted, word for word, in the Treaty signed this day, and shall be ratified at the same time.

In faith of which, we the undersigned, in virtue of our full powers, have signed the present separate Article, and have affixed thereto the seals of our arms.

Done at Stockholm, the 3d March, in the year of our Lord 1813.

Alexander Hope.
(L. S.) Le Comte D'Engestrom.
Edward Thornton. (L. S.)
(L. S. G. Baron de Wetterstedt.
(L. S.)

Lord *Castlereagh* moved that the said Treaty be referred to a Committee of Supply on Wednesday.

Mr. *Whitbread* said, that just before the noble lord brought up those papers, it was his intention to give notice of a motion which had considerable reference to the subject which was now proposed for discussion on Wednesday. It was, however. of a more comprehensive nature; and he now gave notice, that on Tuesday, the 29th of June, he intended to bring forward a motion with regard to our relations with foreign powers generally: when, also, he should bring the subject of peace distinctly under the consideration of the House.—The hon. gentleman said, that on looking at the Swedish Treaty, some of the provisions of which appeared to him not a little extraordinary, he saw it contained various references to the Treaty with Russia: he would ask the noble lord opposite, whether it would not be necessary that the latter, also, should be in the hands of the House?

Lord *Castlereagh* conceived, that when the discussion took place on the Swedish Treaty, it would be sufficient for him to give verbal explanations on the subject of those references, without producing the Russian Treaty itself.

Mr. *Whitbread*, although he had extraordinary faith in the promise of the noble lord, would be much better pleased with the production of the Treaty itself: he did hope, therefore, that the noble lord would advise his royal highness the Prince Regent to give directions, that this, as he considered it, most essential document, should be laid before the House.

Mr. *Ponsonby* thought, the mere disclosure of facts, when the House came to the discussion of the Swedish Treaty, by the noble lord, would not be so eligible as an opportunity of perusing, and deliberately weighing, the contents of the document alluded to. As from the noble lord's pledge to make the necessary disclosures in his speech, it did not appear that secresy was his object, there surely could be no reasonable objection to lay the matter in the usual way before the House. He, for one, if the noble lord conceived that there would be any impropriety in the proposed disclosures, would be the last man to press them; but if there was no such impropriety, he did think that the wishes of the House ought to be complied with.

Lord *Castlereagh* having returned no answer,

Mr. *Ponsonby* gave notice, that he should on Monday make a motion to have the Treaty with Russia laid before the House; and although on that day orders would have precedence of notices, he would avail himself of his privilege to submit his motion at an early part of the evening.

Lord *Castlereagh* said, he could not give any consent to the motion of the right hon. gentleman, until he considered how far he could do so without breaking faith with those towards whom it was so necessary to preserve faith.

Local Tokens Bill.] On the motion of the Chancellor of the Exchequer, the House resolved itself into a committee, to consider of the Act of the present session, c. 19, to prevent the issuing and circulating of pieces of gold and silver, or other metal, usually called Tokens, except such as are issued by the banks of England and Ireland respectively."

The *Chancellor of the Exchequer* then observed, that at a former period of the session, he had contemplated the probability of circumstances occurring, before the end of the year, which would do away the necessity of renewing this measure. Although there had been a considerable improvement in the rate of exchange, however, between this and foreign countries, the state of the currency was yet such as to render it necessary to continue the Bill for some time longer. He should now, therefore, submit a motion to the House for effecting that purpose. He should propose some alterations to the former Bill, which, he thought, were highly expedient: amongst others, he should introduce a clause to enforce the payment of all local tokens which might be issued in the country, in bank of England notes, and also a clause to prevent the issue of Bank notes for sums less than 20*s.* The right hon. gentleman concluded by submitting a resolution, That the House should be moved for leave to bring in a Bill, to continue and amend the former Act.

Mr. *Whitbread* said, he did not rise to oppose the Resolution proposed by the right hon. gentleman, nor did he mean to take a retrospective view of all that had already taken place in the House upon this subject. He thought, however, this measure was one which ought to be watched with the utmost caution, the more especially, when he found, that the right hon. gentleman was about to introduce some new provisions, one of which was, to compel the payment of tokens which might be issued by country bankers in bank of England notes, instead of notes of their own, thereby acknowledging their paper to be depreciated, and giving greater artificial security to the bank of England paper. Another of those provisions was, to go to prevent the issue of paper securities for any sum under 20*s.* If no fraud had hitherto been discovered in these latter mentioned issues, he saw not why they should not be allowed to continue as well as the silver tokens. Where no silver tokens were in circulation, as was the case in manufacturing districts, such a prohibition would be attended with the most serious consequences, and would bear extremely hard upon the manufacturers in general. All, however, that had fallen from the right hon. gentleman, as well as all that had occurred to him from the general observations which he had made on the state of the country, only went to confirm him in the propriety and policy of the House rescinding the resolution to which they had come in the year 1808, namely, that the paper of the Bank of England was of the same value as the legal and natural currency of the country.

Mr. *Huskisson* apprehended that the measure now proposed by his right hon. friend, was by no means new. There was already a law in existence, which prohibited the passing of notes under the value of 20*s.* and as to the clause for compelling the country bankers to pay their local tokens in bank of England notes, he apprehended that this provision only applied where the individual, whose interest might be concerned, did not chuse to take provincial notes. In that case he certainly would be entitled to insist upon having Bank of England notes, as he would be in all other payments. It was only extending to local Tokens, therefore, the same provisions which already applied to provincial notes in general. There was no doubt that the renewal of the Local Token Bill was extremely necessary, and was likely to continue necessary under the present state of foreign expenditures for a very long time. He denied that there had been any improvement in the state of exchange between this and other countries, since his right hon. friend last addressed the House; and so far was he from believing that the period would soon arrive which would enable government to call in the local tokens altogether, that he firmly believed it would become necessary to increase the nominal value of the coin now issued by the Bank of England. The price of silver was already higher than the value placed upon the local tokens, and where bullion was wanted, there was no doubt that Bank tokens at three shillings, were deemed much cheaper than other silver. In the late coinage for Ireland, this fact was most clearly demonstrated, as in that case the quantity of silver, with reference to the nominal value of the coin, had been considerably diminished. If this continued, it would soon be necessary to raise their denomination, to prevent them from being withdrawn from circulation. The evils which attended the alteration of the nominal value of our currency almost every six months, were great and obvious. They required the serious consideration of parliament.

Mr. *Ponsonby* was not disappointed in the proposition which was now made to renew the Local Token Bill. The state of things was such as required such a proceeding. The state of things to which he alluded, was the decrease of the ordinary currency of the country, and the depreciation of the paper currency. The decrease of the silver currency of the country was illustrated by the debasement of the money lately coined for the use of Ireland, which was in value one-seventh less than that which had been coined on a former occasion, although the nominal value remained the same.

Mr. *W. Fitzgerald* said, that the value of the dollar in Ireland had not been at all affected, nor had the recent silver coinage been debased, although the quantity of silver in the money issued had been diminished.

Mr. *Ponsonby* said, that it was clear from this, in all events, that a less quantity of silver now passed for the same nominal value, than a greater quantity passed for some short time back. Otherwise, that the nominal value of the coin remained the same, while the silver was diminished in quantity.

Mr. *W. Fitzgerald* admitted this to be the real state of the case.

Sir *John Newport* reprobated this system of things, as highly injurious to the interests of the country, and as tending to promote ruinous speculations in coin. The facts which had now been admitted illustrated in the clearest manner the depreciation of the currency of the country.

Lord *Castlereagh* attributed the diminution of the value of our coinage to the present enormous foreign expenditures, and the want of an adequate return.

Sir *John Newport* would ask, if it were to this cause the depreciation of the coin was to be attributed, why the right hon. the Chancellor of the Exchequer had attempted to impose upon the House, with an assurance that he contemplated a more prosperous state of affairs?

After a few further remarks from Mr. Huskisson, Mr. Baring, and the Chancellor of the Exchequer, the Resolution was agreed to. The House then resumed, and the Chairman moved for leave to bring in a Bill, pursuant to the resolution of the Committee; which leave was given.

ENGLISH BUDGET.] The House having resolved itself into a Committee of Ways and Means,

The *Chancellor of the Exchequer* rose to take the earliest opportunity of submitting to the approbation of the Committee, the terms of the Loan he had contracted, to make up the sum granted for the current service of the year. Were he to take up the attention of the House for a length of time any way proportionate to the magnitude of the financial operations he should have occasion to advert to, no opportunity would be left to discuss on that evening the other important subjects which were to be submitted to the attention of the House; he hoped, however, that the statements he had to make, were so clear, and so generally understood already, that it would be necessary for him to occupy but a small portion of the time of the Committee. He would first submit to the Committee, an account of the items of Supplies already agreed to, and proceed afterwards to those of the Ways and Means necessary to meet them. He did not intend in the mean time to offer any comment on the magnitude of the expenditure, nor to dwell on the political and military exertions which had rendered it necessary; those topics had been frequently discussed before, and would probably come again under the consideration of the House before they separated.

The first article of supply was the sum already voted for the service of the navy (exclusive of ordnance sea service) and amounting to 20,575,011*l.* exceeding the sum voted last year by 872,612*l.* The sum voted for the army in England (including barracks and commissariat) was 15,727,931*l.* exceeding also last year's vote by 1,150,233*l.*; for the army in Ireland 3,198,606*l.*, exceeding the expenditure of last year by 20,144*l.* These sums united gave a total of 18,926,537*l.* for the army, giving a general excess over last year's expence of 1,170,377*l.* In the extraordinaries of the army last year, there had remained unprovided for a sum of 4,662,797*l.* which, of course, was to be provided for by the Ways and Means. But to prevent the recurrence of the same unpleasant circumstance, he would this year propose the sum of 9,500,000*l.* for the extraordinaries of the army. Of this sum 5,000,000*l.* had been already voted, and there would of course remain four millions and a half to be provided for at a future period by the House. The army extraordinaries for Ireland were the same as last year, that is, 200,000*l.*, making the total of the extraordinaries 9,700,000*l.* The sums necessary for miscellaneous services had been already voted by the House; there were, however, some items still unprovided for, and to cover them all, he would take the sum of 2,500,000*l.*; exceeding that branch of the service of last year, by 150,000*l.* The next article of supply he should come to, were the subsidies granted to foreign powers. On this head no alteration had taken place since last year; and the sums already voted by the House, were 2,000,000*l.* for Portugal, and 400,000*l.* for Sicily. There would be also among the items of supply, a sum of 2,000 000*l.* to the East India Company, for advances made by them to government.

He had now gone through all the articles of supply already voted, and the Committee might naturally expect that he should say something of the vote of credit he was expected to ask before the close of the session. He was sure, that in the present state of Europe, the Committee would feel the necessity of arming government with sufficient means to enable them to take advantage of the favourable military and political circumstances which might present themselves. He intended, in consequence, to demand a vote of credit of 5 or 6,000,000*l.* for England, and 200,000*l.* as usual, for Ireland. He had not yet made up his mind, as to which of the sums he should ask, his determination depending on a contingency, which was, whether or no a sum of 1,100,000*l.* still unapplied out of the last vote of credit, should be disposed of before that period. He would, however, take in account the sum of 6,000,000*l.*; and this would bring the total of the joint charge for Great Britain and Ireland to 72,065,639*l*, There were, besides, several separate charges for England. The first was the Loyalty Loan, the charge of which was 171,836*l.* making 58,420*l.* more than last year. The next article of the separate charge was the interest on Exchequer bills, amounting to 1,800,000*l.* or 100,000*l.* more than last year; interest on debentures 40,000*l.*; grant to the Sinking Fund, in respect to Exchequer bills unprovided, 260,000*l.*; and, lastly, the vote of credit of 1812, 3,000,000*l.* The total of the separate charge for England giving a total of 5,271,836*l.* and forming the aggregate amount of supply of 77,337,475*l.* Out of this were to be deducted the Irish proportion of the joint charge of 72,065,639*l.* which was 8,478,310*l.*; also the Irish proportion of the Civil List and Consolidated Fund, forming together 8,651,533*l.* to be deducted from the aggregate charge amount, and which would leave 68,685,942*l.* to be provided for by England.

The right hon. gentleman then briefly detailed the various articles of Ways and Means by which he proposed to meet that charge. The annual duties he would take to the same amount as last year, namely, 3,000,000*l.* The surplus of the Consolidated Fund he would take only at 500,000*l.* and should, before he sat down, explain his motive for so doing to the Committee. The net and disposable produce of the war taxes he would take at 21,000,000*l.* and to that amount of their produce was to be added such a portion of those taxes as had been previously appropriated to the payment of loans. The lottery, he would take at 200,000*l*,; it had, in fact, produced 220,000*l.* but he should take the nearest round sum. Exchequer bills had been funded to the amount of 15,775,800*l.* and this of course, constituted a part of the Ways and Means; but others had been issued to replace them partly. In funding those Exchequer bills, it had been intended to raise a sum of half the amount by means of debentures; the attempt had, however, been only partially successful,and had produced only 799,300*l.* or to take the next round sum 800,000*l.* It was intended to make up that deficiency, by issuing 3,000,000*l.* more of Exchequer bills, which would make the amount of those in circulation, equal to what it was last year. He trusted, that the committee would not accuse him of increasing the unfunded debt unnecessarily and without limit; but when it was considered how low he had taken the surplus of the Consolidated Fund, it might be reasonably expected that it would produce considerably more, which would tend of course to reduce the unfunded debts; and in consideration of that circumstance, he trusted that the money market would experience no inconvenience from leaving the amount of Exchequer bills the same as last year.

The next article of the Ways and Means, which had been for the first time introduced into it last year, was the sale of old naval stores. On this subject his right hon. friend, the Chancellor of the Exchequer for Ireland, had represented to him that Ireland was in justice entitled to her share of the produce of those sales. That claim he had admitted; and the amount of naval stores sold, being this year 601,908*l.*, would leave for the service of England, after deducting the Irish proportion, 531,096*l.* The Ways and Means to meet the current expences of the year, would be completed by the loan of 21,000,000*l.* he had contracted, forming a total of 68,806,196*l.* leaving over and above the supplies a sum of 120,254*l.*

The right hon. gentleman then recapitulated the different items of the Supplies and Ways and Means, in the following order:

SUPPLIES.

		£.
Navy, exclusive of Ordnance Sea Service......		20,575,011
Army (including Barracks and Commissariat) ...	15,727,931	
Ditto Ireland...............	3,198,606	
		18,926,537
Extraordinaries		
England	9,500,000	
Ireland	200,000	
		9,700,000
Unprovided do. last year...............		4,662,797
Ordnance (including Ireland)		3,101,294
Miscellaneous		2,500,000
Vote of Credit		
England	6,000,000	
Ireland	200,000	
		6,200,000
Sicily		400,000
Portugal		2,000,000
India Company		2,000,000
Joint Charge ...		72,063,639

SEPARATE CHARGE.

Loyalty Loan	71,836	
Interest on Exchequer Bills	1,800,000	
Ditto on Debentures	40,000	
Grant to Sinking Fund in respect to Exchequer Bills unprovided	260,000	
Vote of Credit 1812	3,000,000	
		5,271,836
		77,337,475
Deduct Irish Proportion of £. 72,065,639	8,478,310	
Ditto Civil List and Consolidated Fund	173,223	
		8,651,533
Total on account of England ...		68,685,942

WAYS AND MEANS.

Annual Duties	3,000,000
Snrplus Consolidated Fund	500,000
War Taxes	21,000,000
Lottery	200,000
Exchequer Bills funded	15,775,800
Debentures	799,300
Vote of Credit	6,000,000
Naval Stores (English proportion of £. 601,908)	531,096
Loan	21,000,000
	£. 68,806,196

He had already apprised the committee, that he would acquaint them with the motives which had induced him to take the surplus of the Consolidated Fund at so low as 500,000*l.* The committee was aware, that there had been last year a deficit in the revenue of 1,500,000*l.* which, together with the additional charges laid on that fund last session, had occasioned a deficiency of 3,281,000*l.* in the surplus of the Consolidated Fund, as estimated for the year ending the 5th of April, 1813. This deficit had been principally felt in the malt and excise duties, where it had amounted to between two and three millions; and the other branches of revenue must have been proportionally prosperous in order to cover it in so great a degree. This was principally the case in respect to the war taxes; and the committee must be aware, that great improvement might also be expected in the collection of duties recently laid, as they became better understood, and better regalations framed to collect them. It should be observed, besides, that the deficit on the articles to which he had alluded, was owing to the depressed state of our manufactures, which considerably checked consumption; the use of sugar to distilleries had also lowered the produce of the duty on malt, and in the first quarter of the present year the dearness of that article had prevented its being used for that purpose; but all these causes were not likely to operate again on the Consoldated Fund, and, from those considerations, he had taken the surplus of the Consolidated Fund for the present year, at the average of three years, and omitting in that average the year ending the 5th of April last. From that average he should estimate the surplus of the Consolidated Fund for next year at 3,889,000*l.* but as the surplus of last year fell short of the estimate by 3,284,000*l.* that sum was to be made good by the surplus of this year, leaving a net produce of 608,000*l.* which he would, however, take at the round sum of 500,000*l.*

The right hon. gentleman then proceeded to give the Committee a detailed view of this componing part of the Consolidated Fund, and of the estimate amount at which he would take each of the items.

CONSOLIDATED FUND.

Estimated Receipts for the present year.

Customs		£. 5,607,000
Excise		18,835,000
Assessed Taxes		6,200,000
Stamps		5,176,000
Post Office		1,400,000
Hawkers and Pedlars, and sundry small Branches		100,000
Personal Estates and Pensions		135,000
Land Taxes, &c.		1,051,000
Surplus of Exchequer Fees		75,000
Tontine		24,000
Crown Lands, &c.		20,000
Imprest Monies, &c.		170,000
		38,793,000
War Taxes appropriated to Consolidated Fund		2,706,000
		41,199,000
The Charge exclusive of the Charge of the Loan for the present year		36,260,000
		5,239,000
Additional Charge created in the present Session	2,100,000	
Deduct expected Produce of the Duties imposed to meet the said Charge	750,000	
		1,350,000
Estimated Surplus of the Consolidated Fund for the present year ending 5th April, 1814		3,889,000
Deficiency of Surplus, year ended 5th April, 1813		3,281,000
Surplus remaining for present year		£. 608,000

The right hon. gentleman proceeded to show in what way he had formed his Estimates of the War Taxes.

The Customs and Excise averaged in the three years ending April 5, 1812	£.9,502,965
Add Duties imposed in 1811, and the present year	550,000
Aud for the higher Duty on Sugars of 3*s.* per cwt. in consequence of the high price, which might be taken at	250,000
The total would be	£. 10,302,965
This Sum, then, he took as an average of the Customs and Excise. Of the Property Tax there remained of former Assessments on April 5, 1813	9,361,946
Estimated produce of the present year	12,960,000
	22,321,946
Deduct the sum remaining to complete the grant of 1812	8,898,245
There would remain	13,423,701
This sum carried to the 10,302,965*l.* which he took for the produce of the Customs and Excise, gave	23,726,666
Deducting from this the War Taxes pledged for the interest of the debt	2,706,000
And there remained to be granted for the service of the year	21,020,666

It remained for him to state the conditions on which the Loan had been contracted. These he thought were so far satisfactory that all parties ought to be satisfied. They did not impose a greater burden on the public than was necessary, and if beneficial to the contractors, it was not so much so, as to give them an unfair advantage. For every 100*l.* subscribed they received 110*l.* in the 3 per cent. Reduced Annuities, 60*l.* in the 3 per cent. Consols, and 8*s.* 6*d.* in the Long Annuities. The charge to be provided for was very considerable. The capital debt created was 35,700,000*l.* the interest 1,160,250*l.* the one per cent. to the Sinking Fund 536,999*l.* To this was to be added for management, 11,379*l.*; making a total charge of 1,708,628*l.* The total debt created by funding in the present session, was 54,780,423*l.*; the interest on it was 2,062,066*l.* 18*s.* 4½*d.* The per centage to the Sinking Fund amounted to 763,914*l.* 1*s.* 1*d.*; the charge for management was, 17,103*l.* 2*s.* 6¼*d.*; and the total charge to the public was 2,845,084*l.* 1*s.* 11¾*d.* The House would understand that he meant to propose to cancel such part of the debt as the sum in the hands of the commissioners was sufficient to cover. On this subject, he however thought it at present unnecessary to trouble the Committee, as other opportunities would occur for going into it; reserving to himself, therefore, the right of giving any explanation that might appear necessary, he should trouble them at present no farther. The right hon. gentleman then moved his first Resolution, which, as well as all the others, passed without any discussion.

IRISH BUDGET.] Mr. *William Fitzgerald* said it was his duty now to address the Committee. If ever any man had to solicit the indulgence of the Committee it was for him to do it, being not only for the first time to bring under the view of parliament the financial situation of Ireland, but being called upon to provide for a demand beyond that of any former year, and to supply not only the means for the coming time, but to make up the deficiencies of that which had been truly stated by his right hon. friend Mr. Vansittart, to have been a year of unexampled expenditure. He would not occupy too much, he hoped, of the time of the Committee, yet he feared he could not avoid trespassing at what some would deem too great length upon their attention.

He would proceed to state as briefly as he could the different items of the Supply. They were as follows:

SUPPLY.

	£.
Deficiency of Contribution 1812, exclusive of Army Extraordinaries supplied this year	2,226,037
Estimated quota of this year, including exceedings of Army Extraordinaries supplied this year 8,651,533*l.* Brit.	9,372,494
Interest and Sinking Fund on present Debt	4,951,501
Grant to Sinking Fund in respect of Treasury Bills	21,604
Total Supply	16,571,636

To meet which were,

WAYS AND MEANS.		£.
Surplus of Consolidated Fund		3,281,478
Revenues estimated at		4,600,000
Profit on Lotteries		100,000
Seamen's Wages		73,425
2-17ths of 601,908*l.* for Naval Stores, 15-17ths thereof being taken credit for by England, 70,812*l.* Brit.		76,713
Loan in Ireland	2,000,000	
Loan in England, 6,000,000*l.* Brit.	6,500,000	
		8,500,000
		16,631,616

The first Item in the Estimate, viz. the Surplus of the Consolidated Fund, stood thus:

Balance 5th January 1813		1,366,718
Remaining of British Loan, 1812		2,029,009
		3,329,727
DEDUCT ARREARS.		
Principal of outstanding Treasury Bills and Lottery Prizes	28,460	
Ardglass Harbour	5,883	
Inland Navigations	79,906	
		114,249
Surplus of Consolidated Fund .. £.		3,281,478

The Charge upon the Loans contracted this year would be:

Irish Loan, 2,000,000*l.* at 6*l.* 5*s.* 9*d.* for Money	125,750
English Loan, 6,500,000*l.* at 7*l.* 4*s.* 7¾*d.* ditto	470,089
	595,839

The Duties and Taxes to meet which he had proposed to the House in the course of the session, their produce he estimated as follows:

Customs with Excise on Tobacco	265,000
Malt 3*s.* per Barrel	115,000
Spirits 6*d.* per Gallon	110,000
Assessed Taxes, increase of 25 per cent. and upwards	100,000
Postage, alteration in Duties	15,000
Leather	5,000
	£. 610,000

In devising the means of answering these charges, he felt that he was placed in a situation more disagreeable than any person who had preceded him in his office, had experienced. At a time, when the country was labouring under very considerable difficulties, he was obliged to call upon her for annual duties to meet the charges which he had just stated. To understand perfectly the exertions which Ireland was required to make, it was only necessary for the Committee to call to its recollection, what Great Britain had provided in the present year, and to contrast her contribution with that of Ireland. It would be found that Ireland was, at the present moment, charged with fresh impositions to the amount of upwards of 600,000*l.* He was aware, that it was the opinion of some gentlemen, that the system recently introduced in this country, might apply, in a certain degree, to Ireland; and that recourse might be had to the Sinking Fund. But, however this might be demanded, by the hope of avoiding fresh and onerous burdens, yet, the arguments applied to the principle in this country, could not be applied to Ireland in an equal extent. It had been his principal wish, in the taxes which he had already the honour to propose, several of which had met the concurrence of the House, and the sanction of parliament, to press as little as possible on the lower classes of the community; and to avoid bearing on those great sources of prosperity, which were absolutely necessary to the well-being of a rising country. To have pursued a contrary line, in a country deficient in resources, and possessing no great capital, would be the means of defeating her prosperity, and rendering ineffectual those burdens which were imposed on her. He had already stated, that the charge for the loans of the present year was 595,839*l.* He would now proceed to lay before the Committee, the means by which it was intended to man then enumerated the principal articles of exports, viz. barley, oats, wheat, flour, oxen and cows, sheep, swine, bacon, butter, and pork, and pointed out the increase which had taken place in their exportation during the last twelve years, and noticed that the export of wheat in the last two years was 703,846 barrels, which exceeds the exports of the twelve years immediately preceding the Union—and he hoped for still more extensive results, if the beneficial measure which his hon. friend, sir Henry Parnell, was to introduce, and which he should certainly support, should receive the sanction of the legislature.

With respect to the general improvement of the country, it was pretty evident from the state of the exchange between Great Britain and Ireland, which, notwithstanding the sums annually transmitted to absentees, was very much decreased. The rate of exchange was formerly as high as 17; but in the present year it fell to five one-half or one-fourth. Many objections had been made in former years, when the Irish budget was brought forward—one of these was the high charge of the collection and management of the revenue. He was happy to announce, that a very great improvement had taken place in that respect. The right hon. gentleman then entered into a statement to shew the saving which had taken place in the collection of the revenue since 1811; from which it appeared, that the gross revenue was now collected 5 per cent. under the rate of that year; and the net revenue 8 per cent. In the Post Office department, the revenue was now collected at a much more moderate rate, and with much greater ease than formerly. The difference in the rate at which the net revenue of that department had been collected, being 20 per cent. less than the preceding year.

The right hon. gentleman then observed that Ireland would not bear in addition to the taxation already imposed upon her—those strong direct taxes in the contemplation of some gentlemen, without trenching on those resources which were the foundation of her prosperity. He was favourable to an union of the financial departments of the two countries, from which he conceived most beneficial results would be derived. He was aware that a more efficient controul of the departments would be one of the first consequences, of establishments, and a diminution of expenditure. He went however no farther than to desire to unite the treasuries and to consolidate the debts. For if gentlemen supposed that Ireland could afford a contribution, on the same principles as England, even in the proportion which her growing means, and increasing population might induce them to reckon on, they would find themselves greatly mistaken indeed; even those who calculated on a great increase of general receipt, by the imposition of these taxes which Great Britain paid, were deceiving the country and themselves. Ireland now paid taxes on her consumption, from which Great Britain was exempted—the principal articles of that consumption were of British manufacture and of British produce—and besides those articles, which were charged with heavier imposts, Ireland paid nearly 300,000*l.* per annum, on the importation of articles, most of them of prime necessity, none of which were liable to any internal duty in Great Britain. It would scarcely be contended by the warmest advocate for what was called vigorous taxation, that if the financial system of the two countries were to be in other respects assimilated, that the Irish people were still to be subjected to duties such as these; to preserve them as protecting duties would be in his mind the most puerile economy; since it was no other than to compel every consumer in Ireland to pay more than the article of his consumption was worth, or than he ought to pay for it.

Here then there would be a loss of near 300,000*l.* per annum in our customs, which the new system of finance must supply. But there was much more. The property tax payable on the interest of the Irish debt received in this country, would surely be considered applicable to the Irish supply, and ought to be carried to the account of that country, which provided with such difficulty for its charge. The same result would arise respecting the property of Irish absentees; at least in equity he was sure it ought, and the deduction on these two last-mentioned grounds be at least half a million from the general resources of the empire. On this he only estimated the remittances to absentees at two millions, which was the amount presumed in the year 1804, when a committee of the House of Commons enquired into the state of the exchanges between Great Britain and Ireland—at the same time he had little doubt that the proportion of absentees was greatly increased—The number who had followed the seat of legislation and of government was necessarily great, and he was sorry to say that many who had not the same excuse daily added to those, who drew the sole sources of their support from the country which they deserted. The two heads which he adverted to would altogether diminish the general supply of Great Britain by the amount of half a million, while the duties on articles of consumption imported into Ireland, and the produce of your hearth and other duties, which he was prepared to contend could not, if you introduced, or rather attempted to introduce the taxes paid in Great Britain, any longer retain, would shew you that one million per annum of this expected revenue which was to flow into the imperial treasury, was not in fact any addition or increase to the general resources of the state.

He wished to apply those illustrations not against any measure, which others might recommend, nor wishing to conceal from himself nor from the House, the efforts we should in future years be called upon to make. But he wished the sanguine calculators of increased revenue, who, be it observed, were not those persons best acquainted with the means or circumstances of Ireland, to pause before they jumped to their conclusion, and to bear in recollection, that all that might be added to a financial statement was not necessarily added to the revenue of Ireland, or to the general receipt and income of the empire. With respect to the contribution of Ireland of sixteen millions and a half, he who had to propose measures to parliament to provide, could not but contemplate with apprehension, such an increase of our proportion; but aware, as he must be, of the difficulties which it imposed upon himself, and not disguising from the committee what the pressure of it must ultimately be, it would still be unfair to draw any comparison from the last and the present year of extended military operations, and increased expenditure in every part of the world, which had occasioned to us so heavy a charge. He would not advert to what that calculation at the time of the Union might have been; the political circumstances which had since occurred could not then have been contemplated by any statesman; but this he would say, that unless the circumstances of the country were exceedingly altered, unless there was a diminution of our expenditure, it was impossible for Ireland to go on at this rate of contribution. Parliament ought not to deceive itself, at least he would not lend himself to the deception. Did any man suppose that a country, the annual revenue of which was only 5 millions, could go on raising 16 millions per annum. Ireland must borrow to pay this contribution, and he who hoped that she could supply the rest by war taxes, as in Great Britain, or by supplies raised to any great extent within the year, must be ignorant indeed of the circumstances of the country which he was undertaking to administer. He at least would, until every other means of supply were exhausted, warn parliament against what even in a financial point of view, would be deemed fatal to the growing wealth, and to that which could not grow without wealth, the future productive revenue of the country—the exertions of Ireland,—and he spoke of a country, of the state of which, limited as his official experience had been, he was yet uninformed, the exertions of Ireland, had been great—Great Britain was to raise in the present year twelve hundred thousand pounds by new taxes—Ireland was called upon to provide more than half that sum by new duties—Ireland, a country bearing no comparison in point of natural or improved resources. In the year 1785, when Mr. Pitt proposed new taxes to the amount of 900,000*l.* per annum, it was deemed after the duration of the American contest, and the exhaustion of the national means, the greatest effort which any country had ever made to redeem the public difficulty—in less than 30 years, after a war of more protracted length, of at least undiminished sacrifice and increased expence, Ireland, the whole of whose annual income at that time did not exceed the duties that the British parliament then imposed, has within less than 30 years undertaken to provide six hundred thousand pounds, being in the last two years a contribution by fresh taxes, more than her whole income amounted to at the time that the commercial propositions were discussed. Let me not then be told that Ireland withholds herself in this instance, or that those who are responsible as her administration, endeavour to obtain for her a partial remission, which England has not received. We are making fair, and great, and generous exertions in the cause of Great Britain, a cause in the support of which we are not only pledged by compact, but which our country is, I admit, bound to combat for by every principle of mutual interest and of common safety. If, said the right hon. gentleman, that part of the United Kingdom is not called upon to struggle beyond her strength, if her means are not outrun, trust me, she will yet prove to the empire a source of supply and of succour, such as the most sanguine mind has not, perhaps, contemplated. Do not attempt to anticipate too rashly her growing powers; if you anticipate you crush them. I wish my right hon. friends may feel with me; whether I or another (said the right hon. gentleman), may, in another year, fill that situation which now I have the honour to hold, I know not; but the legislature will, I hope, act upon the same principles; and I am confident that Great Britain will yet find in our increasing population, in the improved fertility of our soil, in our extended industry, and augmented means, that Ireland will in point of contribution, be enabled to make not less exertions than in other respects she has already made, or than the empire already owes to the loyalty, the hardihood, and the valour of her people.—The right hon. gentleman concluded with moving the first Resolution relative to the additional duty on spirits.

Mr. *Bankes* rose principally for the purpose of apprizing the House that it was his intention, on some future occasion, to state some general opinions as to the system of Irish finance. As to the right hon. gentleman he had acknowledged that he had only followed the system of his predecessors. That system, however, appeared to him to be radically bad, and he thought that Ireland was in a state to which the system of taxation adopted in this country was peculiarly applicable. He thought that Ireland never would contribute its fair proportion, or have a suitable revenue until the present system was utterly abolished. He complained of the manner in which a return had been made, in consequence of a paper that he had moved for. What he wanted to know was, the estimated produce of the taxes lately imposed, as well as the real produce.

Mr. *Wellesley Pole* declared, that the situation of Ireland was not such as to admit of the introduction of the system of taxation adopted in this country. At the period of the Union, when the proportion was settled which the two countries should pay, the expences of the empire were but 25 milllions, whereas, now they are 72 millions. It never could have been expected that Ireland would have been able to pay two-seventeenths of so large a sum as this, or that her resources to meet so great an increase of expenditure could at all keep pace with those of this country, If they endeavoured to make her do so they would make her burst like the ox in the fable, and render her wholly useless. He wished to see the treasures and debts of both countries consolidated.

Sir *J. Newport* also entirely disapproved of the sentiments of the hon. member (Mr. Bankes). The system of taxation adopted in this country, could not be applied to Ireland without producing the greatest confusion and distress. As to the property tax, he was convinced that no medium of fair assessment would be found, if that tax were introduced into Ireland. Instead of fair assessment, one class of persons would be enabled to throw all the burdens upon others, and not contribute their own proportion. He considered, that without the imposition of fresh taxes, the revenue would be more increased by an effectual control over the treasury. He instanced the case of the legacy duty, which was so productive in this country, and yet produced little or nothing in Ireland. He had been obliged to propose penalties for not proving wills within a certain time, but although the penalties incurred were extremely great, the government never sued for them. Among the offenders were judges of the land, and even the counsel to the commissioners, and the frequency of the offence, and the largeness of the penalties incurred, were assigned as the reason for not suing for them. If there were so little pains taken in the collection of the revenue, it was not surprising that it should be unproductive. He then adverted to the case of a commissioner of the Stamp-office, who resigned the place, on finding that it was not a sinecure. He also stated, as a marked difference between the taxation in this country and in Ireland, that a great part of the revenue of this country was from foreign trade, whereas Ireland had very little foreign trade.

Mr. *W. Pole* thought he had reason to complain of the right hon. baronet's always stating abuses, as if they still existed, and no effort had been made to put an end to them; but it was in consequence of the regulations made while he was Chancellor of the Exchequer, that the commissioner to whom the right hon. baronet had alluded had resigned. Every gentleman was aware, that the department of the stamps was most complicated, and the evils which were so great, were not to be corrected in a moment. That they were in a state of correction, the amendment of the revenue proved. It was another old assertion of the right hon. baronet, that the interference of the Castle was injurious to the collection of the revenue, but he was of opinion, that if the patronage were transferred to the Boards, the revenue would not be as well collected as at present.

Sir *J. Newport* repeated his assertion that the legacy tax was not collected, and that penalties incurred by judges of the land and the counsel to the commissioners of the revenue, who ought to be cognizant of the law, were not enforced, adding that those penalties were incurred in the years 1809, 10, and 11.

Mr. *Peel* defied the right hon. baronet to produce one instance in which any defaulter whatever in the revenue had been screened from punishment by the Irish government upon the delinquency of such defaulter being brought under its consideration. With regard to the department of stamps, that question was, he understood, to be brought forward by the right hon. baronet as a separate motion, and as to the other departments of the revenue, while adequate measures were adopted rigorously to enforce the regulations mentioned by the right hon. gentleman (W. Pole) with a view to the collection of the revenue in future, directions had been very recently given by the Irish government to select the most conspicuous among the defaulters heretofore, in order that the most exemplary punishment should be inflicted.

Sir *Henry Parnell* observed, that there was a radical error in the system of appointment to offices in Ireland, the officers for the collection of the revenue being nominated by the Lord Lieutenant instead of being selected by the Treasury Board, under whom these officers were more immediately to act, which was the practice in this country. But this was not the only difference between the system of the two countries, the officers in all the departments under government being appointed by the Lord Lieutenant, instead of being selected by the Boards under which they were respectively to act; and who were of course most competent to make a proper choice. No view to patronage should, he thought, permit the continuance of such a deviation from the better practice of England.

Sir *John Newport*, in answer to the challenge of the Irish secretary (Mr. Peel), mentioned the case of Beauchamp Hill, which case was on the Journals of the House. This Mr. Hill was, it appeared, appointed to a higher office in the revenue after he had himself confessed that he had been in the habit of receiving bribes from those from whom it was his duty to collect the revenue; nay, he was appointed to the office of Inspector to check illicit distillation, after having confessedly received bribes from distillers to suppress the collection of the revenue, and the appointment was made in the very teeth of the law.

Mr. *W. Fitzgerald* observed, that no part of the present Irish government was responsible for the appointment mentioned by the right hon. baronet; nor need he add that such an appointment would not be made by any one now connected with the government of Ireland. It was, however, due to the right hon. gentleman (Mr. Foster) who made that appointment, to restate that right hon. gentleman's observation, when the appointment quoted was beforementioned, namely, that he (Mr. Foster) found the practice, confessed by Mr. Hill, so general, if not so universal among revenue officers, that if he were to exclude all those so receiving illegal fees, he should not be able to find any officers acquainted with business [a laugh and hear!]. The right hon. gentleman assured those who cheered, that he was not offering this as his argument. Further, the right hon. gentleman (Mr. Foster) stated, that the acceptance of such illegal fees arose out of the very inadequate salary allowed to revenue officers, which inadequacy he removed. Upon this point he (Mr. Fitzgerald) added, that it was proposed to introduce a clause into the new revenue act, imposing a permanent disqualification upon any officer so accepting fees, as the officer alluded to was stated to have done. Adverting to the animadversion of Mr. Bankes, the right hon. gentleman observed, that the assertion of the hon. gentleman, as to the inadequate contribution of Ireland to the expences of the empire, was rather unseasonable at a period when the Irish nation was about to contribute no less than sixteen millions to the common-stock of the year, and to pay in additional taxes 610,000*l.* which amounted to one-half of the addition to which rich and happy England was subjected. When it was recollected that Mr.

Pitt in 1785 rated the utmost effort of England at only 900,000*l.* additional taxation, and when it was considered that the revenue of Ireland, within the last year, had been increased one-sixth, notwithstanding its sacrifice of one source of revenue to the necessity of England, in stopping distillation from grain, he thought the resources of Ireland, and the manner in which its revenue was collected, were not liable to the animadversions which the House had heard from the hon. gentleman and others.

Mr. *Croker* would say one word as to the appointment of Mr. Beauchamp Hill, which was not in consequence of any political opinions or connections: he had taken fees, such as other officers had taken: he was the first to acquaint the government that he had taken the fees; and in consequence of his being a most able officer, he had been promoted.

The Resolutions were then agreed to, and the House resumed. On the question that the Report be received to-morrow,

Mr. *Ponsonby* expressed his surprize at such an extraordinary motion: first, because the generality of the members could have no notion that such a report would be brought up so very soon after the resolutions were adopted; and next, because it was proposed to bring it up on a day when it was quite unusual for the House to sit. Such a proceeding was, he believed, without precedent, and when the amount of the loan was considered, exceeding by far any sum ever before raised in England, at an interest, as he calculated, of about 5*l.* 15*s.* per cent., when it was considered, that the sums borrowed within the year, in various ways, amounted to 50 millions, and that the whole of our general expence would reach to from 115 to 120 millions, he appealed to the right hon. gentleman whether it would be fit or decent to proceed with the precipitancy proposed upon such an important subject?

The *Chancellor of the Exchequer* thought that sufficient opportunity would offer for any discussion which the right hon. gentleman might think proper to bring forward upon this subject. He would not, however, press the reading of the whole of the Resolutions to-morrow; but he hoped the right hon. gentleman would have no objection to the reading of the Resolutions respecting the loan to-morrow (if he did not disapprove of the contract), allowing the other resolutions to stand over until Monday.

Mr. *Ponsonby* would not object to the reading of the Resolutions mentioned by the right hon. gentleman, if such a proceeding were necessary to the public service. He would not, as he had before said, oppose the grant of any supplies which ministers might think proper to require; but there was a difference between obstructing supplies and calling the attention of the House to the amount of those supplies, the manner in which they were raised, and the purposes to which they were applied. Ample opportunity for the consideration of such an extensive subject he thought peculiarly necessary. It was, indeed, highly desirable to examine and explain the financial state of the country, of which he believed the generality of the public were completely ignorant.

The *Chancellor of the Exchequer* observed, that the usual period for discussing the financial state of the country was upon the consideration of the Resolutions generally proposed towards the close of the session. The right hon. gentleman would, however, have many other opportunities for such discussion, if he thought proper to avail himself of them, in the progress of the Bills to be founded on the Resolutions agreed to by the Committee; but he trusted to the candour of the right hon. gentleman that he would not obstruct the ratification of the Resolutions respecting a loan, the terms of which were not at all objected to when first stated, and any obstruction to which might be productive of much public inconvenience.

Mr. *Ponsonby* said, he knew that there would be other stages for discussion, but thought the Report the most proper stage for debate.

The *Speaker* observed, that the regular mode of proceeding would be to have the whole Report brought up to-morrow, and when it was brought up, to consider only that part of it which related to the Loan, postponing the consideration of the other parts, by ordering the Report to be taken into consideration on some future day.

The Report was then ordered to be received to-morrow.

East India Company's Affairs.] Lord *Castlereagh* moved the order of the day, to consider of the Resolutions, which, on the 5th instant, were reported from the Committee of the whole House, to whom it was referred to consider of the Affairs of the East India Company.

Sir *John Newport* rose, and declared he thought it incumbent on the House at that late period of the session not to proceed further in a measure fraught either with incalculable good or evil, not only to this country, but to sixty millions of men in India. The question was regarded unfortunately, merely as a commercial contest between the Company and the outports, whilst the ministers, acting as mediators, had produced a motley plan built upon compromise, but satisfactory to no party. An hon. director (Mr. Grant), to whose talents, information and integrity he was fully disposed to pay his tribute of respect, had declared that it was impossible the Company could execute the conditions involved in the third Resolution. Whenever any plan was to be adopted in the nature of a contract, it was essentially necessary that the contracting parties should respectively be satisfied with the terms of the arrangement. One of the principal defects in the system contained and embodied in the Resolutions was, that no principle of sovereignty was expressed, and none of the primary obligations of all good government recognized. In a minute of council at Calcutta, in the year 1804, it was declared to be the paramount duty of those exercising sovereignty in India to exercise it for the benefit of the people in India, and to secure to them the full and secure enjoyment of their properties and labour. In the spirit of the declaration now alluded to he would say, that all arbitrary valuations were inconsistent with that duty, and that to deny the advantages of free competition was in effect to impose an arbitrary valuation. He could not, for his own part, admit the existence of any danger from the intercourse of the traders of this country with the natives of India, but thought it must tend greatly to their improvement and advantage. The agents of foreign merchants were admitted by the present regulations of the resident government, and he was too well persuaded of the character of British merchants to be under any apprehension from their general conduct. Never before had so vast and comprehensive a subject engaged the attention of parliament. The question was, whether the House would re-seat on the throne of Aurungzebe the chairman of the court of directors? or, whether by the free and honourable competition of British merchants, the industry of our Indian subjects should be excited, and the wants common to them with the rest of the world gratified by the pursuits of an active commerce? At all events, deliberation, the most mature and cautious deliberation, was necessary in legislating for such mighty interests, and with this opinion influencing his judgment, he should move, with a view of inducing the House next session to abolish the monopoly altogether, that the further consideration of the Report be postponed to that day three months.

Lord *Castlereagh* said, that if he could at all persuade himself that what the right hon. baronet proposed would in any way assist the House in coming to a decision upon the subject, he would willingly adopt the amendment which he had proposed. He never had seen parliament come to any discussion of such importance more calmly, nor with greater prospect of arriving at a satisfactory decision than they had done on that question. It did appear to him, that with a view to the attainment of the object of the right hon. baronet, the course which he had just proposed was a mistaken one; for if he succeeded in making the House give up the prosecution of the subject in the stage in which it then was, he would leave the question precisely in that situation, which with regard to the object of the right hon. baronet was least desirable, as, when the question came again to be discussed, there would be no opportunity of referring to the preliminary decisions of parliament. Were he in the place of the right hon. baronet he would press the House to consider the Report, and even to have the Bill brought in, that there might be an opportunity of seeing how it was intended that the principles on which the Resolutions were framed should be applied. One object of the right hon. baronet, in wishing for the decision to be postponed was, that he expected he should be enabled to succeed in persuading the House to abolish the monopoly of the Company entirely, and to transfer at once to the great body of British merchants the trade to India. For his own part, he could not help thinking that such a measure would be a serious calamity. Unless the House came to a decision during that session, the great body of merchants would be tied up from making any exertions; and therefore he conceived that ministers would be guilty of a dereliction of their duty, if they postponed the decision of that important question. He hoped that next week he should be able to bring in the Bill.

Mr. *Whitbread* insisted that the most important part of this mighty subject had been overlooked or neglected, and while the commercial quarrel was fomented between the Company and the out-ports, the interests of fifty millions of people in the East were considered unworthy the attention of the legislature: he took shame to himself for his comparative ignorance upon India subjects, but more shame belonged to the House that it always treated them with unmerited indifference. He complained that the out-ports had not produced the satisfactory evidence they so loudly boasted, and that the question had been already so much delayed, that a due consideration during the present session was impossible. He then entered into the history of the various discussions upon this subject, to shew that government had been culpably dilatory in bringing it forward, and remarked in severe terms upon the inconsistency of lord Castlereagh, who, before so vehement an advocate in favour of extending the influence of the crown, was now so squeamish as to stickle for points of little importance connected with it. The truth was, that the ministerial tools into which the Company would be converted would soon crumble away, and the controul of India, its patronage, and its wealth, would quietly fall into the hands of ministers. The only mode of deciding was to allow of no disgraceful compromise. The question ought to be—Company, or no Company!—Monopoly, or no Monopoly!—If it ought to be destroyed, destroy it!—if it ought to be maintained, maintain it! For his part, if a wish would destroy our territorial possessions in India, he would wish them annihilated, or at least wrested from Great Britain. The hon. member disputed the justice of the eulogium passed upon the Company by Mr. Grant, jun. on a former night, and detailed to the House the various acts and proceedings from 1773 to 1793, to shew that it had always been deemed incompetent to the conduct of the government of India, and after all these steps to shew that the Company was worth nothing, they were now to be allowed a precarious existence to continue that government, when 30 years ago they had been cashiered of all power and declared inefficient. He quoted lord Castlereagh's opinions when president of the Board of Controul, shewing that he had nine years since declared that the Company ought not and could not exist longer, and yet now insisted that it ought to be supported. He passed a high encomium upon the character and conduct of marquis Cornwallis, and censured, in terms equally severe, the acts of marquis Wellesley in India, insisting that he had destroyed much happiness, and contending that we must not "lay the flattering unction to our souls," that the people of India were happier or more prosperous under the government of Great Britain than under the authority of their own native princes. With respect to the evidence produced on the part of the East India Company, the witnesses, however respectable, were bred and had risen to wealth and fame under the monopoly of the Company. These witnesses, too, were so much at variance with themselves, that before he ventured to pronounce on the question he should like to have other evidence to confront with them. The gentlemen of the out-ports had not dealt fairly with the House. Expeditition was every thing with them. For his part, he was no East India proprietor, nor in any wise connected with the out-ports, but as a member of parliament he wanted information. A noble lord in another House (lord Grenville*) had given to the world a speech upon this question, with the sentiments of which he completely agreed. We were every day hearing of the degeneracy of the times in which we lived; but it would be degenerate indeed, even for these our days, if we were not able at once to take to the crown what was the right of the crown—to take it boldly, and not circuitously—and open the trade to the whole of the empire. They had been told of the dangerous consequences which might ensue in India—the difficulty of preventing smuggling—and the danger of allowing any but the servants of the East India Company to go to Canton, while the American subjects were, it was well known, already there. He was amazed that the member for Liverpool should have given up the China trade so easily. This was the most important branch of the whole, and the one where there was the least danger to be apprehended from smuggling. But the noble lord (Castlereagh) had said that the Company must be kept alive, and it was to be kept alive, that he might be the governor of them. The China trade was the breath with which the Company was to be kept alive. The noble lord had afterwards said, or seemed to say—for sometimes the noble lord seemed to say something, when he said nothing—that the experiment by which they should know whether the Company was alive, was their ability of paying their dividend. So that if the China trade was not sufficient to keep the Company alive, then came the death-blow of the Company; and at last the noble lord would come down to the House and tell them, that as the dividend could no longer be paid, the Company was at an end. Then, when every thing would be involved in convulsion and confusion, the whole would necessarily fall, unguarded and unprotected, into the power of the crown. The hon. gentleman concluded with observing, that among various topics of great importance, which still called for discussion, the 13th Resolution, which related to the diffusion of light and knowledge in India, was not the least. It was one which did not admit of halting between two opinions; and which, after mature consideration, ought to be followed up by every wise and adequate measures which the legislature and the government were capable of adopting and carrying into effect.

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* See vol. 25, p. 709.

Mr. *Stephen* said, that the question before the House was whether the Resolutions of the Committee should be now taken into consideration, or postponed to a distant period. The hon. gentleman who had last spoken, had grounded his conviction of the necessity of delay upon his own assumptions and assertions; for although he had argued that the happiness of 60 millions of people in Asia depended upon the decision of the House, yet he had not thought proper to offer any proofs of the abuses and wrongs under which they were supposed to labour. The hon. gentleman had indeed adverted to many cases of calamity and misery in India, but he had at the same time, passed over all the improvements that had taken place, and all the regulations respecting the proprietorship of land, and the administration of justice, which had been introduced since the period of 1793.—While he approved of certain modifications which might be suggested in the government, he was ready to maintain that the present system, as a whole, ought to be preserved. It was in fact requisite that the exercise of the government should continue to be vested in the Company, and that a controlling power should exist in the crown. He was glad to hear, that it was the noble lord's intention to persist in pressing the adoption of a Bill this session, founded as it would be, upon the Resolutions; for he was convinced, that not only very serious inconveniences, but considerable danger would result, both at home and in India, from any farther delay.

Mr. *Robert Thornton* could not agree with the right hon. baronet's amendment for delaying the question three months longer. Exclusively of the inconvenience and danger which would attend the measure, it would also be productive of great hazard and uncertainty. He certainly did not approve of the Resolutions in their present state, nor could he agree to the proposed delay, but he thought, that under every circumstance, the House was bound to come, even at this late period of the session, to a decision. He felt, however, an earnest hope, whatever might be the final arrangement of parliament respecting the affairs of India, that his constituents would give to that arrangement all possible attention, and be ready to adhere to its meaning and spirit.

Lord *Archibald Hamilton* said the House would not discharge their duty to their constituents nor to the people of India, if they did not take the proper time for becoming acquainted with this question. A number of witnesses had been brought forward, who were acknowledged to be frequently at variance with each other. There were documents on the table, shewing not only the grossest mismanagement of India, but the utter want of protection of the people of that country. The administration of justice in India was in many points entitled to praise; but it was in evidence from the very judges in India themselves, that the system was erroneous, and not adapted to give prisoners a fair trial. They were called on by the advocates of the Company, to name abuses in the government of the Company of late years. Was not Madras almost lost by what, in his opinion, was misconduct on the part of sir George Barlow?

Mr. *Tierney* said, that if he consulted his own feelings on the subject, he should vote against the amendment of his right hon. friend, as he wished that this important subject should be disposed of as soon as it possibly could; but, on the other hand, the more he attended the debates the more he was convinced that prolonged discussion would be of the utmost advantage to the Indian empire. Great inconveniencies would (he was aware) arise from adjourning the subject at that time, but greater still from adjourning it, as the noble lord would do, after the Resolutions had been agreed to.—[No! from lord Castlereagh]—The noble lord said, that when the Bill was brought in it would be the best time for proposing an adjournment: but in his (Mr. T.'s) opinion, it was the very worst; for if the question was to be postponed, it would be better that it should be done before the House was shackled by any declaration of its opinions. There would be no regard to decency in finishing the question altogether this session. From the numerous notices on the three first Resolutions, it was impossible that they could be disposed of before next Wednesday or Thursday; then they were to be taken into consideration by the Lords, and could not be returned from their lordships before the middle of the week after next. Then came the Bill under very different circumstances from any one on this subject, that had at any previous time come under the consideration of the House. In other cases there had always been some compromise between the government and the Company; but now they were as far apart as they could be, and every debate shewed the Company in a still stronger light, the jeopardy they were in. The Bill being in the nature and even the terms of an agreement, must be submitted to the other party—the court of proprietors; and as they would probably object to it, a ballot would take place, so that it could not come for discussion before the latter end of July. Would gentlemen, he would ask, wish to stay in town through the month of August? If so, all was well. But he was much afraid, that they would be left (as they were during the last session, when voting one hundred and thirteen millions) with a House of five-and-twenty gentlemen. If the Resolutions were agreed to, and the Bill postponed, what inconveniences would arise from this determination going out to India—a sentence of death to the Company, with a reprieve for twelve months. He should be very willing himself to sit to the middle of August, if there appeared a possibility of finishing the business this session; but as there was not, he should, with unfeigned regret, vote for the proposed adjournment. If the country were persuaded that the intention was to take the whole patronage of India into the hands of the crown, he was convinced that so strong would be the feeling of the public against it, that their table would be loaded with petitions in favour of the Company. And he was persuaded that the Company must be left untouched, except regulations as to trade, or the government of India turned over to the crown.

Lord *Castlereagh* said, that so far from having any doubts as to the possibility of passing the Bill that session, the reverse was the case. His course of proceeding would be, to found a Bill immediately on the Resolutions; and he thought there would be no difficulty in prosecuting the subject to a termination during this session. The House had prolonged its session at various times on subjects of less importance: but he did not conceive any such delay would be at this time necessary.

Mr. *Canning* had heard no argument for delaying the measure which might not, in his opinion, be urged with equal propriety at any other time. With respect to the objections which had been advanced, that the out-ports had not brought forward any evidence in support of their claims to a participation in the trade; he deemed not only the absence of that testimony a proof of the justice of their claims, but considered it an additional reason why their pretensions should be attended to, since they were content to leave them to the candid and impartial judgment of the House. He thought, after all the enquiry which had taken place, that delay, in the present advanced state of discussion, would be worse than almost any decision, as it could not fail to give strength to conflicting opinions, and to increase that restlessness of contention which might lead to very dangerous consequences. If the consideration of the question were adjourned to the next session, it would be necessary to go over all that had been done, and to retrace all the steps which had been taken. He had to express his concern, that the affairs of India had not at all times commanded that attention to which they were entitled, but he earnestly hoped that a more watchful eye would be kept upon them, particularly after the present Bill, which he trusted would be passed. He thought, however, that the extension of time ought not to exceed the hope of any gentleman then in the House, of witnessing its revival on a future day. He was happy to hear the sentiments of the hon. gentleman near him, with respect to the manner in which the measure would be received by the Company.

Mr. *Robert Thornton* begged to be understood as not having hazarded any opinion on the subject of the Company's acceptance of the arrangement. He had merely stated, that if it were imposed upon the Company as a duty, they would feel themselves bound to adhere to its spirit.

Mr. *Ponsonby* agreed in the observations which had fallen from his right hon. friend who moved the adjournment, and did not think that the House could come conscientiously to a decision during the present session upon so extensive and important a topic as the government of sixty millions of people. He denied that the benefit of the discussions which had already taken place would be lost by a postponement of the subject to the next session. He was sure that the right hon. gentleman who spoke last, did not mean seriously when he urged such an argument. Indeed, he thought the opinions of that right hon. gentleman, were more in accordance with the impatience of those whom he represented in that House, than they were consistent with his own clear and conscientious view of the question. Independent of the present topic, there were a variety of other most important subjects, which would occupy the attention of the House, and which would protract the sittings to such an extent, that the question of Indian policy would at length be abandoned to ministers altogether. It might be said that a full attendance might be obtained by enforcing and keeping up an order for a call of the House; but this was a proceeding which he apprehended would not be very agreeable to the generality of the gentlemen who had seats in that House. He was persuaded that the House would do an infinitely more acceptable service to the people of India by postponing this question to next session, than by coming to an immediate conclusion. For these reasons he would vote for the proposition of his right hon. friend, not because he thought it was the best mode of taking the sense of the House; for he thought some more eligible method might have been adopted; but because he thought it was immaterial what was the manner in which the feelings of the House was collected.

Mr. *Bathurst* opposed any delay of the measure, and denied that any satisfactory ground had been assigned for deferring the question to a future session.

Mr. *Whitshed Keene* was in favour of delay, upon the ground that the House had not yet had time to make up their minds upon a subject of such magnitude.

The question was then loudly called for, and a division took place,

For the Amendment - -	21
Against it - - - -	192
Majority - - -	—171

After the division,

Mr. *Ponsonby* stated his determination, if the further consideration of the Report of the Committee on the Company's affairs, should take place immediately, to take the sense of the House on an amendment of the Resolution, granting the monopoly of the Chinese trade, having for its object to limit the duration of such monopoly to ten years.

Lord *Castlereagh* then consented to postpone the further consideration of the Report till Monday, and the question being put to that effect, was carried in the affirmative.

HOUSE OF LORDS.

Monday, June 14.

TREATY WITH SWEDEN.] Earl *Grey* was desirous, before they proceeded with any farther business, to put some questions to the noble earl opposite (lord Liverpool), with respect to the Treaty with Sweden, lately laid on their lordships' table; because some additional information was indispensibly necessary, for the due consideration of that Treaty. In the second article, it was stated, "that his Britannic Majesty promised and engaged to accede to the conventions already existing between Russia and Sweden, insomuch that his Britannic Majesty would not only oppose any obstacle to the annexation and union, in perpetuity, of the kingdom of Norway, as an integral part of the kingdom of Sweden; but also would assist the views of his majesty the king of Sweden to that effect, either by his good offices, or by employing, if it should be necessary, his naval co-operation, in concert with the Swedish or Russian forces. It was nevertheless, understood, that recourse should not be had to force, for effecting the union of Norway to Sweden, unless his majesty the king of Denmark should have previously refused to join the alliance of the North, upon the conditions stipulated in the engagements subsisting between the courts of Stockholm and St. Petersburgh." By this article, then, Great Britain was bound to co-operate by force, if necessary, in obliging Denmark to give up Norway, that valuable part of its possessions, to Sweden, in the event of the court of Copenhagen refusing to accede to the Northern alliance, upon certain terms and conditions, not as yet known to their lordships. Now, without wishing to raise any discussions at present, or giving expressions to those feelings which the bare perusal of such an engagement, as it appeared upon the face of the treaty, naturally excited, he wished to be informed what were the conditions in the alliance between Russia and Sweden, upon the failure of acceding to which Denmark was to be deprived of Norway by force, and that country to be for ever united to the kingdow of Sweden? He wished to know this, because without such information it was utterly impossible to judge of the whole merits of the question, and therefore he trusted the noble earl would agree to lay the treaty between Russia and Sweden on the table, before the discussion. To that he could see no objection. But there were other points upon which it was material also to have the fullest information. They who had with just indignation reprobated the principle of dismemberment and partition, under the pretence of moral or physical convenience, in rendering defence more easy, or security more complete—they who had considered such principles, or rather such a want of all principle, as subversive of all right and of all justice, ought to know, and distinctly to know, upon what grounds they proceeded, before they entered into any engagement, or gave their sanction to any treaty, that appeared, in any degree, to recognize the political doctrine against which they had so warmly protested. Their lordships ought, therefore, to know what had lately passed between the court of Copenhagen and our government. We were now unfortunately embarked in a war with Denmark,—upon what grounds, and originating in what causes, he would not then stop to enquire; but if this country still rested in any degree, upon that character for justice and generosity which, he hoped, it would always maintain, it ought to evince every disposition to put an end to that contest, if terms were offered consistent with its honour and safety. We did know the fact, that a Danish minister had come to England. We knew that a suspension of hostilities, on the part of Denmark, had taken place until the court of Copenhagen could ascertain the result of his mission. We knew that this minister was soon dismissed, and hostilities then recommenced. Nay, we knew more than that: not only had hostilities been suspended, but as a proof of the sincerity of the Danish government, in the propositions for reconciliation made by them, the Danish troops advanced to Hamburgh, and fought in its defence against the common enemy, which Sweden had not as yet done. But when Great Britain refused to enter into any negociation, the Danish troops were withdrawn; and that power, which had by this direct act manifested its resolution to co-operate against the common enemy, immediately lent its assistance to the accomplishment of the views of that enemy, and the Danish and French troops took possession of Hamburgh together. These facts they knew, and it was impossible that they could come well prepared to the discussion of this treaty, until they were informed of the nature of the Danish propositions, and the reasons for which they had been rejected. He hoped, therefore, the noble lord would have no objection to produce the correspondence between the Danish minister and our government. It was impossible for him to pretend secresy as a ground of refusal, for there could be no secresy in the matter. But, at what time were they called upon to consider this treaty? He was now speaking on the 14th of June: and this treaty, which, it was to be feared, might form an addition to the long list of errors and of crimes, of which the present ministers were guilty, had been signed on the 3d of March. He wished, then, to know how it came, that the treaty had no sooner been laid on the table; why it had been delayed till a period of the session when they were not so likely to have that full attendance which the importance of the subject so strongly demanded. There was another point, also, with respect to which it was highly fitting that some information should be given. They were now come to a time when Sweden, considering the sacrifices made, and to be made, by this country under this treaty, might be expected to have made some progress in the fulfilment of the engagements on her part, for which we were to pay so great a price. He asked, then, for information, as to the practical steps which had been taken by Sweden, pursuant to her engagements. He wished to know what troops Sweden had landed on the continent? What directly offensive operations against the common enemy she had commenced? Or whether any unjustifiable delay had taken place in that respect? Upon these points their lordships must have information before they could come to the discussion with the proper degree of preparation. The first point was the most important; and he was particularly anxious, in regard to that, to have the fullest possible information. He likewise wished to know, what sum had been actually paid to the Swedish government upon the ground of this treaty? He thought, too, that in order to have a complete view of the whole subject, they ought to have on the table our engagements with Russia and other foreign powers; for without this, it would be impossible to enter upon the consideration of the question in that ample manner which the nature and importance of the subject required. This was not to be considered upon the isolated ground of our relations with Sweden: before they could come to a just conclusion on that single point, looking at the matter in a large and statesmanlike view, they must take into consideration the whole of our foreign relations, and the general grounds of our foreign policy. To enable them to do that with effect, he now called upon the noble earl for the fullest information upon the several points to which he adverted; and more particularly upon the first point, which was unquestionably by far the most important.

The Earl of *Liverpool* said, that the course which had been taken by the noble earl, in proposing his questions, and asking for information, would justify him in entering into the subject much more largely than would suffice for a mere answer; but still he would not anticipate the discussion. The day was not far distant, when his Majesty's servants would have an opportunity of explaining fully the grounds of the treaty with Sweden, and the views of policy by which they had been actuated in regard to the rest of our continental relations. But till the proper time arrived for giving that explanation, their lordships would, he was satisfied, suspend their judgment, and not condemn either ministers, or the foreign powers with which this country was connected, until the whole subject was before them. He would at present content himself with positively affirming, in behalf of his Majesty's servants, that they had proceeded upon no such principle of policy as that to which the noble earl had adverted; they had never sanctioned any such principle; they had never engaged in war without a legitimate ground of hostility; and in the whole of their foreign policy, and in all their engagements, had preserved the most scrupulous good faith, and acted in conformity to the interests of Europe and of this country. With respect to the first point to which the noble earl had called their lordships' attention—the engagements between Russia and Sweden,—ministers, as far as they were concerned, could have no objection whatever to lay the treaty upon their lordships' table; but as that document had not been communicated to them upon authority, he did not feel himself justified in acceding to the desire of the noble earl upon that head: but, at the same time, he was perfectly ready to go as far as his sense of duty would permit, and, therefore, had no objection to lay upon the table the substance of that article to which the present treaty referred, which he presumed would answer the noble earl's purpose as completely as if the whole had been produced. With respect to the correspondence with the Danish minister, he did not deny, but was perfectly ready to admit, that a proposition had been made to put an end to the war between the two nations; but he need hardly state, that if the proposition was subversive of other engagements on our part, or if, though in other respects admissible, it was such as, from its own nature, could not possibly have been accepted, our government would not have been justified in listening to any such proposal. He had objections, however, to the production of the correspondence that took place on that subject, as it involved topics, which, if disclosed, might be prejudicial to other powers, with whom, whether at war or peace, our liberality and national honour required that we should preserve the most inviolable good faith. But the information required on this particular point, was not necessary for the due consideration of the present treaty. The question was, whether these engagements with Sweden were consistent with a just regard to good faith, and founded upon sound views of national policy? and upon these grounds he was perfectly prepared to defend the treaty. But he, at the same time, fully agreed with the noble earl, that it was to be taken in connexion with the rest of our foreign relations—with the circumstances of the war in which we were engaged, and the past and present state of the European continent.—With respect to the third point, which related to the time at which the treaty was laid on the table, their lordships would consider, that the time at which the treaty could be produced, depended not upon the period at which it was signed, but upon the period of its ratification: the ratified treaty had not reached this country till the 10th of May; and some subsequent discussions had taken place which rendered it inexpedient to lay it on the table sooner than the day on which he had brought it down to their lordships' House.—The next question put by the noble earl, related to the conduct of Sweden, and the progress made by that power in carrying into effect her engagements with this country. He would not now enter into any detailed statements on that point, but reserve what he had to say until the subject of the treaty came regularly under discussion. He could not, however, allow the present opportunity to pass, without saying, that as far as the time allowed, there was the most complete fulfilment of her engagements, on the part of Sweden. With respect to the money already advanced to Sweden, he had no objection whatever to lay upon the table the fullest information on that head.—As to the engagements of this country with foreign powers, all the treaties with other nations were already before parliament and the public, and as to any other discussions that might have taken place on the subject of co-operation, and other matters, the House must be aware that it might be improper, at the present moment, to say any thing on that head. He and his colleagues were willing to afford every information in their power which it was consistent with their duty to give, and enough would be known to enable their lordships to come amply prepared to the discussion and decision of the subject of the present treaty.

Earl *Grey* was not altogether satisfied with the extent of information which the noble earl opposite was willing to grant; but he hoped, that if the whole of the treaty of alliance between Russia and Sweden could not be produced, the very terms of the article by which Denmark was to be invited to join the northern alliance would be given. The reasons assigned for refusing to produce the correspondence with the Danish minister did not appear to him satisfactory. Whether or not the second article in the treaty could be at all justified would materially depend on the conduct of Denmark; of which it would be impossible to judge accurately without this correspondence. The noble earl had stated, that he could not, consistently with a regard to his duty, produce this correspondence under the present circumstances. Now, he would make this proposition to the noble earl, either to give them some information on that subject, or to postpone the discussion of the treaty till the circumstances which prevented the production of the correspondence had ceased to exist; for he repeated, that without information on this point, it was altogether impossible for their lordships to come properly prepared to this discussion. With respect to the progress made by Sweden, in fulfilling the conditions of the treaty, he could not conceive what ministers might expect; but certainly Sweden had not taken such decisive steps as he, and he believed the public in general, would have expected from the terms of this treaty. He should have expected that Sweden would have been prepared at the opening of the campaign, to have actively co-operated in the war with 30,000 men. But unless he was labouring under a most extraordinary delusion—unless all he had heard on this subject was incorrect—the French emperor had fought two battles—they were said not to be victories; but the consequence of these battles was, that the allies had retreated to a very considerable distance. In these operations the Swedish troops had taken no part. The Crown Prince had, indeed, at last landed, with but little more than 18,000 men, instead of 30,000; and was fortifying himself at Stralsund, from whence, with such a force, he could not advance without the most imminent risk of destruction. That a treaty with Russia was already before the House, he believed to be the case; but were there, he would ask, no additional engagements with that power, for the purposes of concert and subsidy? There was a manifest distinction between plans of the campaign, or other measures of active co-operation, which, of course ought not to be disclosed, and engagements for services in consideration of subsidies; and it was the latter alone which he wished to be communicated to the House. He would ever contend, that it was a most unconstitutional proceeding, though too common of late years, to enter into engagements by which the country would be burthened, before parliament was made acquainted with their nature and extent, and before it could decide whether the honour and the interests of the country were thereby compromised or maintained. Why, again, he would ask, was the ratification of the Swedish treaty so long delayed? It was signed on the 3d of March, and the ratification, a mere matter of form, arrived it seemed only on the 10th of May, though the two countries were so near each other. Why, again, its communication to the House was delayed from the 10th of May to the 11th of June, it was impossible to state any good reason. Upon the whole, therefore, if the noble lord persevered in refusing the information which was now asked, he should undoubtedly take the sense of the House upon the subject on Thursday next, before the discussion of the treaty came on.

The Marquis of *Douglas* observed that a Prussian minister was now here, and thought that some communication should be made of the state of our relations with Prussia, which must also bear on the treaty with Sweden.

The Earl of *Liverpool* was not aware of any treaty with Prussia, that had not been laid before the House.

The Marquis of *Douglas* asked, was there no treaty of peace with Prussia?

The Earl of *Liverpool* said, not having been at war with Prussia there was no necessity for a treaty of peace; a Prussian minister being here, it was possible that some negociations might be going on, but of course, if they were pending, it would be highly improper to make any communication respecting them.

Earl *Grey* said, he wished distinctly to understand, whether there was any treaty of concert and subsidy, or of concert only with Russia or Prussia.

The Earl of *Liverpool* replied, that there was no treaty of concert and subsidy with either Russia or Prussia.

Lord *Holland* observed, that the connection of the treaty with the general operations upon the continent, although admitted by the noble earl (Liverpool), yet it appeared by the refusal to communicate information that this connection was only to be learnt from the noble earl's speech on Thursday.

The Earl of *Liverpool* said, he had only intended to admit, that the treaty was to be considered with reference to the general state of Europe at the time of entering into it.

GENERAL INCLOSURE BILL.] Lord *Sheffield* moved the second reading of the General Inclosure Bill.

The *Lord Chancellor* objected to the Bill, that it tended to throw all the business of inclosures into the Court of Chancery, which had already more business to do than it could get through.

Lord *Ellenborough* considered the Bill as a most arbitrary measure; it tended to make property dance the hays, and to alter every description of tenure, without any advantage to be gained by its operation. His lordship moved to postpone the second reading for three months.

Lord *Sheffield* contended for the utility of the Bill, to inclose lands which could not afford the expence of an act of parliament: and that it was of importance to prevent the country from paying a large sum for foreign corn. He observed, that the defects might be remedied in the committee.

Lord *Redesdale* objected, that the Bill could not be modified into any useful shape.

The *Lord Chancellor* observed, that the Bill gave the owners of three-fifths of land sought to be inclosed, power to do what they pleased on application to the quarter sessions, without hearing the other parties, and if the other parties were heard, the expence would be much greater than that of an act of parliament.

After some further conversation the second reading of the Bill was postponed for three months. The Bill was consequently lost.

HOUSE OF COMMONS.

Monday, June 14.

PARLIAMENTARY REFORM.] Lord *Rancliffe* stated, that in consequence of some of his friends having suggested to him, that it would be inconvenient to the House, if he brought forward the motion on the subject of Parliamentary Reform, of which he had given notice, and which stood for Friday, he was inclined to postpone it for that session. But he said that if no more able person should agitate the question, he should feel it his duty to submit to the House a motion on the subject early in the next session.

PETITION OF THE COTTON SPINNERS, &c. OF BLACKBURN.] A Petition of several merchants, cotton manufacturers, and spinners, residing in the town and neighbourhood of Blackburn, in the county palatine of Lancaster, was presented and read; setting forth,

"That the petitioners have learnt that petitions have been presented to the House for the prohibition of cotton grown in the United States of America, upon the plea that such prohibition would severely oppress America, whilst it would encourage the cultivation of cotton in our own dependencies and in countries where our manufactures are received; and that the petitioners would disdain any opposition to measures calculated to distress a state with which we are at war, on the ground that such measures may occasion a temporary pressure on themselves, but they are convinced that the prohibition of American cotton during the war would be slightly felt by the enemy, and that it would inflict a lasting injury on the cotton manufacture of this kingdom; and that it is considered politic to render this country a depot for every possible production, and, in pursuance of this system, to permit cotton to be bonded for exportation without the payment of any duty; and that the benefit to the country from the exportation of the raw material would be increased in proportion to the amount received for the labour bestowed upon it, and consequently that it is wise to encourage the exportation of any manufactured article without duty, or with a drawback equal to the duty, when any has been paid; and that a duty is now levied on the importation of cotton manufactured in this country, of two pence per pound in British, and of three pence per pound in foreign ships, without drawback or bounty on its exportation; and that a large exportation of our cotton manufactures is necessary to the employment of the hands who rely on this manufacture for their support; and that, during its greatest prosperity, the chief vent was found upon the continent of Europe; and that several cotton mills have been there established; and that to enhance by any means the price of the raw material here, is to grant a bounty to our rivals; that this bounty is the greatest upon the coarsest articles, which are the most easily produced, offering the strongest inducement to cope with us where the task is the least difficult; and that, by this means, one branch of the trade is already lost to us; and that the petitioners will not complain of any measures adopted to prevent cotton from being sent out of the United States of America, but they consider it essential to the security of trade that they may be free to obtain every description of cotton upon as favourable terms as our rivals upon the continent; and that the prohibition of American cotton here cannot be at all felt in America until the continental markets are overstocked, and in that case our rivals will have the advantage of working the raw material at a price below par, whilst the price here will be supported by the deficiency of the supply; and that if, as has been proposed, this prohibition should be suffered to extend beyond the period of war with America, we should not only lose the whole of the continental markets, but there would be a great probability of our losing other markets, from our inability to meet our rivals on equal terms; and that the injury thus done to our manufacture would recoil upon our West India and shipping interests, which are necessarily connected with the prosperity of those manufactures; and praying, that the House will minutely examine this subject before adopting any measures which will sacrifice, to the temporary interests of a few, a trade important from the amount of fixed capital invested, and from the numbers who rely upon it for support."

Ordered to lie upon the table.

Insolvent Debtors' Bill.] On the question for going into a Committee,

Sir S. *Romilly* said he would state very shortly the objects of the Bill. It was to release those debtors who had been confined for a certain time, on their giving up all the property they possessed, and was intended to prevent the necessity of frequent periodical Insolvent Acts. It proceeded on a principle different to any contained in any former Bill. It put an end to the principle of the existing laws, by which a debtor might be confined for life; a punishment more severe than any inflicted by the criminal code; for he knew of no crime that was punished by imprisonment for life. The Bill, therefore, should not be viewed with reference to the law as it stood; it was certainly not so perfect as he could wish, but if it were materially altered, it would not perhaps meet with the concurrence of the other House. It was not to be expected to reach perfection at once; hereafter the measure might be rendered more perfect. He advised gentlemen to pass it with some imperfections, rather than risk its loss by any material alteration.

After a few words from Mr. Alderman Combe, and Mr. Kenrick, the House went into a Committee on the Bill.

Sir *S. Romilly* proposed an amendment, to limit the time of imprisonment to three months instead of six. His object was to prevent persons contracting those bad habits, which were usually learnt in a prison, and to prevent persons confined for debt, from being so long lost to the duties of society.

Mr. *Kenrick* said that when the Bill was first introduced into the House of Lords, the term of imprisonment was much longer; but had been reduced to six months at the suggestion of some noble lords. If the term were limited, creditors would not have sufficient time to oppose the liberation of debtors, who might not be entitled to the benefit of the Act.

The House divided: For the Amendment 22; Against it 42; Majority in favour of the original clause 20.

Sir *S. Romilly* took that opportunity of asking ministers what would be the fate of a Bill for the relief of the insolvent debtors in the Isle of Man. He understood such a Bill had passed the Manx legislature.

Lord *Castlereagh* said he was uninformed on the subject; but would make the necessary enquiries.

After some further conversation, the House resumed, and the Report was ordered to be received on Wednesday.

MR. HARGRAVE'S BOOKS AND MANUSCRIPTS.] Mr. Whitbread presented a Petition from Diana, wife of Francis Hargrave, esq. one of his Majesty's counsel in the law, recorder of Liverpool, and treasurer of the honourable society of Lincoln's Inn, setting forth, "That the said Francis Hargrave is possessed of divers books and manuscripts, collected with great labour and at a considerable expence during the course of a long professional life, which books and manuscripts would form a valuable addition to the national collection, having been selected with the greatest skill and judgment; and that, owing to the afflicting illness of the said Francis Hargrave, he is no longer able to follow his professional pursuits, whereby his family is in danger of being exposed to great difficulties; and praying the House, that the circumstances of the case may be taken into its kind and liberal consideration, and that the acquisition of the said books and manuscripts may be made for the public upon such terms and for such consideration as to the House shall seem meet." Mr. Whitbread said, it was unnecessary to say much respecting the merits of Mr. Hargrave. His profound learning and extensive information were well known to most of the members of that House; and no one, he was convinced, would be more ready than his hon. and learned friend (sir S. Romilly), to bear testimony to the great value of Mr. Hargrave's writings. [Hear, hear, from sir S. Romilly, and others.] By those writings, and by the publication of several valuable manuscripts, Mr. Hargrave had rendered great service to the public in the advancement of legal and constitutional knowledge. He was now unhappily prevented by illness from attending to his professional pursuits, and it became necessary as a provision for his family to dispose of his library, consisting of a large and valuable library of books and manuscripts, collected by him with very great skill and judgment during the course of a long professional life. The acquisition of such a library would undoubtedly be of great advantage to the public, and it would be proper that some reward should be conferred by the legislature upon Mr. Hargrave. Mr. Whitbread trusted, therefore, that the object of the Petition would meet with the unanimous concurrence of the House. [Hear, hear!]

The *Chancellor of the Exchequer* rose to second the motion. He fully concurred in what had been said by the hon. gentleman, and acquainted the House, that his royal highness the Prince Regent, having been informed of the contents of the said Petition, recommended it to the consideration of the House.

Ordered to lie on the table.

TREATY WITH SWEDEN.] Mr. *Ponsonby* said, he had mentioned a few evenings since, that if the noble lord (Castlereagh) did not think fit to lay before the House the Russian Treaty, as connected with that recently entered into with Sweden, he should feel it his duty to make a motion, for the purpose of procuring its production; because it was impossible for that House correctly to understand the Treaty with Sweden, unless the Convention between that country and Russia were laid before them. It was his intention also to move for certain documents connected with the subject; the nature of these he would state to the noble lord, who, when he heard them, would be able to judge whether or not he could agree to their production. The first document he should move for was, " An account of all sums of money paid or advanced to the king of Sweden, or for his service, with the respective dates of such advances." The next information he would call for was, " The specific day on which the Swedish army landed on the continent" (as it was termed in the Treaty, a manner, certainly, in which he should not have expressed himself, as it seemed to imply that Sweden formed no part of the continent of Europe) " in conformity with the stipulations contained in the first Article of the Treaty laid before the House by the command of the Prince Regent." He should next call for " A copy of the Treaty concluded between his Majesty and the Emperor of Russia," if any such had been entered into, relating to the same subject. He did not know how this fact stood, whether Russia acted under a separate treaty, concluded with her, or only in conformity with the Convention entered into between her and Sweden. And, therefore, the information which he should derive from the noble lord, on this point, would direct him in shaping his motion properly. The last papers he should move for would be, " copies or extracts of all correspondence between his Majesty's minister for Foreign Affairs and any accredited minister of the king of Denmark." He conceived information on these points, absolutely necessary to the forming a correct estimate of the Treaty with Sweden. If the noble lord could point out any error in the form of his intended motions, he would willingly alter it. If, however, he did not, and that he resisted the production of the papers, he then gave notice, that he would, to-morrow, move for them.

Lord *Castlereagh*, in answer, observed, that, as to the production of the correspondence between his Majesty's government and that of Denmark, he was not prepared to accede to the proposition of the right hon. gentleman. With respect to the inquiry, whether any Treaty had been entered into with Russia, he had to inform the right hon. gentleman that no such Treaty had been concluded. Russia acted in consequence of her stipulations with Sweden. As to the amount of advances made to Sweden, with their dates, there could be no difficulty in furnishing such an account. And, so far as his Majesty's government possessed the information, they were perfectly willing to state the day on which the landing of the Swedish troops took place. This latter information, he believed, would be as accurate as the right hon. gentleman could wish, for any purpose he might have in view. He felt very considerable difficulty with reference to the Treaty concluded between Sweden and Russia, which had been confidentially communicated to his Majesty's government, but which neither of the two powers had promulgated. He was, however, aware, that it was impossible for the right hon. gentleman to argue on the propriety of the stipulations entered into with Sweden, unless the nature of her connection with Russia was understood. Still, however, the right hon. gentleman must perceive the situation of delicacy in which his Majesty's government stood, and would, perhaps, be satisfied, if the articles, immediately connected with the recent Swedish Treaty, were substantially laid before the House, instead of pressing for the production of the Treaty itself.

Mr. *Ponsonby* inquired in what manner the noble lord meant to give this information? He did not think it would be satisfactory, if he intended merely to give it in the course of his speech.

Lord *Castlereagh* replied, that the information should be regularly laid on the table.

Mr. *Ponsonby* said, that would answer perfectly well. He did not wish the government to take any step which might be prejudicial to the public service. It should be understood, however, that the noble lord would give all the substantial information necessary on the Russian and Swedish Convention; the choice and selection of the extracts depending on himself. With respect to his wish to know the day on which the Swedish troops landed, the noble lord would recollect, that, by the Treaty, Sweden promised to employ a corps of not less than 30,000 men, in direct operation upon the continent, and, by the fourth article of the Treaty it was stipulated, that all the future advances to be made by this country, after the first, were to depend on the actual employment of the Swedish army. These were the very words of the Treaty. Now, he wished to know in what way Sweden was considered, by the government of this country, as having so far fulfilled her stipulations, that she became entitled to the promised subsidy? He thought it was necessary to learn, whether only a part of the Swedish troops had landed, or whether the entire number had been furnished, before they considered that power as having a right to claim the intended succours.

Lord *Castlereagh* intimated that every possible information should be granted.

Mr. *Marryat* was desirous of learning from the noble lord, whether it was intended, along with Guadaloupe, to cede the islands of St. Martin, Marigalante, Deseada, and the Saintes, which were always considered as its dependencies?

Lord *Castlereagh* answered, that nothing was ceded, except Guadaloupe, properly so called.

Mr. *Ponsonby* then observed, that there appeared to be no point of difference between him and the noble lord, except as far as related to the correspondence between this government and that of Denmark, for the production of which he would submit a motion to the House tomorrow.

Mr. *Whitbread* wished to ask the noble lord whether he had any objection to postpone the debate on the Swedish Treaty, from Wednesday until Friday? Such an arrangement would be most convenient to himself and some of his friends, who were anxious to take part in the debate.

Lord *Castlereagh* said that it was desirable for the House to take the Treaty as early as possible into consideration; but under such circumstances, he had no hesitation in complying with the hon. gentleman's request.

HELLESTONE ELECTION.] On the order of the day, for taking into further consideration the Resolution which, upon the 24th of March last, was reported from the select committee appointed to try and determine the merits of the Petition of sir Christopher Hawkins, of Trewithin, in the county of Cornwall, baronet, complaining of an undue election and return for the borough of Helleston,

Lord *Castlereagh* moved, that the farther consideration be postponed to Monday, in order to let the House go into a committee upon the affairs of the East India Company.

Lord *Archibald Hamilton* objected to the question being farther postponed, as it had already been inserted twice in the orders of the day. The question deeply involved the character of the House, and he conceived it would not be consistent with their dignity to delay a decision longer.

Mr. *Wynn* said, the Report had been on the table since the 24th of March. He was in favour of proceeding in the question.

Mr. *Bathurst* wished the subject to be postponed, but not until next session.

Mr. *Swan* acceded to the proposition of the noble lord (Castlereagh), but did not know how it would affect the prosecution which he intended to advise. The Attorney General could tell him.

The *Attorney General* said, if the business were proceeded in, it would be impossible to bring the persons to trial, or even to obtain a plea from them, by the next assizes.

Mr. *Preston* spoke in favour of an immediate proceeding.

Mr. *Swan* said, he would not have delayed the business one hour, if it had not been to suit the convenience of gentlemen. When the present motion was disposed of, it was his intention to move, "That the Attorney-General do forthwith prosecute the most noble George Frederick, duke of Leeds, and four of the aldermen of the borough of Helston, for practices subversive of the freedom of election." The House, if they thought proper, might order proceedings against such of the freemen as were concerned in the business, though he conceived they would not appear so culpable as the parties he had mentioned. He would also move for leave to bring in a Bill to prevent bribery and corruption in the elections for the said borough.

Mr. *D. Giddy* said, he would move that the fifth alderman be included in the prosecution.

Mr. *Swan* shortly stated his reasons for confining the prosecution to four of the aldermen.

The Report was then ordered to be taken into consideration on Monday.

EAST INDIA COMPANY'S AFFAIRS.] Lord *Castlereagh* moved the order of the day, for resuming the adjourned proceeding upon the further consideration of the Report, which upon the 3d day of June was made from the Committee of the whole House to whom it was referred to consider further of the Affairs of the East India Company.

Mr. *Howorth* said:—Sir, to the Resolutions in the form now submitted to the consideration of the House, there are, as I conceive, important objections; but reflecting on the vast variety and extent of this subject, in all its bearings and relations, on its magnitude as it regards the people of this country, and on its extreme importance to the natives of India, I am convinced that his Majesty's ministers, with the best intentions for the public service, and with the most impartial disposition to provide for, and satisfy if possible, the various and adverse interests engaged in, and involved in this great question, could not form a plan, to which some plausible, some serious, and perhaps, some solid objections may not be opposed. The situation in which we stand with regard to India, is an anomaly so extraordinary, as to set aside all theories: an immense empire in the East, brought under the control of a little island in the West, acquired, maintained, and preserved through the instrumentality of a commercial body, is a new case, unprecedented in the events of the world; and the only safe way in which legislation can be introduced under such circumstances is, by the rational application of rules, drawn from the practical knowledge acquired, in the course of this unexampled accession of territory. But with regard to the Resolutions now brought up, surely it is important, that the first Resolution should declare in whom the sovereignty of India is vested, and by whom the sovereign authority is to be executed, parliament should determine in what form it should be avowed, and to what extent it should be exercised. The question of right to the territorial possessions in India, between the government and the East India Company, has always been mooted, and even in these Resolutions, the right of sovereignty is foisted in the body of an appropriation resolve, and not where I think it ought to be, in the preamble of the Bill. An explicit unqualified declaration of sovereignty is absolutely necessary; the lately published speech of a noble lord in the other House of Parliament, states, "that the territory of India belongs to the crown." Under a monarchy no subject or class of subjects can acquire a political dominion but for the crown; at present, India acknowledges no British sovereign, it acknowledges and submits to the power of the East India Company, transferred to them as they believe by various grants of their native princes, and all the treaties hitherto made in the East Indies, are made in the name and on the behalf of the East India Company. We are known as merchants, but not as monarchs; what may eventually result from undeceiving them, it is not in my power to determine: I have no intention of following up these remarks with any specific motion, but merely to suggest that it appears to me of importance that the preamble to the intended Bill should declare in whom the actual sovereignty of the territorial possessions in India is vested, and by whom that authority is to be exercised.

Sir *John Newport* so perfectly agreed in the sentiments expressed by the hon. gentleman who had just sat down, that he had himself prepared a resolution, declaratory of the right of sovereignty, which he would propose to the House. It was the more necessary that this declaration of sovereignty should be plainly and explicitly made, because the Company, in one of their resolutions, laid a claim to that sovereignty, to which, he contended, they had no right. He conceived, that previous to any commercial regulation, previous to any regulation of taxes and revenue, it should be decided to whom the right of territory and revenue belonged. He had, therefore, drawn up a resolution for that purpose, which he would move as an amendment to the first resolution of the noble lord. He would not detain the House longer, but move his resolution, to which he could conceive no ground of opposition, unless it were shewn that a necessity existed for departing from those principles by which every government was regulated. His resolution was, "That the sovereignty of the crown of the United Kingdom of Great Britain and Ireland, over the territory and population of India, is paramount and undoubted—and with it the receipt of territorial revenues is inseparably connected; that parliament, in legislating for that great population, is bound primarily to provide for the security of their civil and religious rights—for the administration of speedy and impartial justice—and for their moral improvement and happiness; that with these sacred obligations of sovereign power, no prospect of commercial advantage can be allowed to enter into competition." His motive for mentioning civil and religious liberty was, because, as it was intended to give the natives an opportunity of becoming Christians, he would, in the first instance, give them to understand, that their adoption of Christianity was a matter of free choice. He also adverted to the speedy administration of justice, the necessity for which must be apparent to every person who recollected that one of the gentlemen examined at their bar stated, in evidence, that no less than 60,000 cases were pending in the principal court of one province alone. He concluded by moving his Amendment.

Lord *Castlereagh* thought they ought not to proceed in putting this proposition forward, until they had well considered what parliament had done on a former occasion, when as great an anxiety was felt to discharge the great social trust to the people of India with fidelity, as could be entertained by any persons in the present day. They had come to certain practical resolutions, on which a Bill was to be founded; and he was sure, unless some great advantage could be pointed out, it would not be wise to depart from the course of proceeding pursued by parliament at a former period. But he believed, it was not customary in matters of a practical nature, to set out with stating those great moral principles by which they must be guided upon all occasions. He was not aware of any resolution by which the Company claimed from the crown the sovereignty of India, although they had claimed the rights of property and revenue under the crown. He did not think it would be good policy to labour too much the authority of parliament on this subject; because, as no resolution to this effect, was introduced when the charter was formerly renewed, it would seem to be throwing a doubt, where no doubt existed, if a specific resolution were agreed to, on this point. It was also rendered the less necessary, because there was, in one of the resolutions, an incidental declaration on the subject: and that he conceived was the most proper way to introduce it.

Mr. *William Smith* spoke in favour of the Amendment. He did not think they had any thing to do with the conduct of parliament on a former occasion. If that parliament omitted to do that which was necessary, it only formed a strong argument against their neglecting it at present. When he looked at the Resolutions, and found that they all, with the exception of one which was lately introduced, referred to matters of private commerce, trade and revenue—when he saw but one Resolution, which adverted to the general interests of such an immense population, he could not agree that parliament had done its duty; and whatever slur might thereby be cast on any former parliament, he contended, as the consideration of the happiness and improvement of the people were paramount to all others, that a Resolution, similar to that proposed by his right hon. friend, ought to stand in the fore-ground of the picture. Though he was ready to admit, that the situation of the inhabitants of India was improved considerably from former times, still he attributed that improvement to the exertions of individuals, and not to the excellence of the Company's constitution, which he by no means approved of. When he recollected, for 30 years past, the mode adopted in canvassing for the Direction in the city of London—when such a person was stated to be supported by the shipping interest, and another person by a different interest—he could only say, that if India were well governed under such a system, it must either have been the effect of individual ability, or else the mere work of chance—for many of the persons thus elected were as much fitted, by their habits and education, to fill any employment in the whole course of human existence, as to become governors of India. But even if the people of India were improved under the government of the India Company, it was the duty of that House to consider whether these people were capable of further improvement, either in their personal comforts or moral habits, and if so, to provide that such improvements should be communicated to them. The House, however, had heard it stated in evidence, that this improved people were in such a situation, that although their country yielded almost spontaneously all the productions necessary to subsistence, they were still destitute of every comfort, and therefore unlikely at any time to become purchasers of British manufactures. How this could be the case appeared rather extraordinary. It was said of the people of Sicily, that notwithstanding the peculiar fertility of their soil, and the favourable circumstances of their climate, they were still in a state of extreme wretchedness;—and to what was this owing? Why, to the execrable nature of their government, and was it not excusable under all the circumstances, to make a similar inference with respect to the system of government in India, especially when told that the people of India were not only wretched in their condition, but totally indifferent to the obligations of truth?

Mr. *Bathurst* did not approve of the amendment. It contained two propositions, neither of which it was necessary to assert and he had yet to learn that it was intended to follow up with any practical measure this Resolution, if adopted. It was not necessary to assert the sovereignty of the crown, as it had not been disputed; and the other proposition which the amendment contained was even still more unnecessary.

Mr. *Horner* concurred with the opinion that any such recital of the duties of a government as that proposed was not necessary, and that it might therefore be dispensed with, particularly as it referred to the government of India, which never appeared to have been much influenced by such declarations. For he recollected a declaration, or resolution, of both Houses of Parliament, that the Indian government should not engage in any wars of aggression or conquest; yet from the period of passing that resolution, the Indian government had been marked by a continued progression of such wars. But there was another part of his right hon. friend's proposition which he was anxious to support, namely, the declaration of the paramount sovereignty of the crown over the territory of India. This declaration he thought peculiarly necessary, as well from certain assertions which had been made by an honourable director in that House, as to a claim of property in India, independent of the crown, as from several publications which had gone forth affecting to support the pretensions of the East India Company. But this declaration was also expedient with reference to the claims frequently advanced heretofore by foreign powers; which claims might be renewed on the return of peace.

Mr. *Stephen* argued against the correctness of that part of the proposition which his hon. and learned friend had supported; for according to the terms of that proposition the crown would be entitled to receive the territorial revenue of India; nay, more, the crown would not only be invested with the sovereignty, but become the landed proprietor of India, would not only receive the taxes as sovereign but the rent as landlord. If such were the object of the proposer—["No," from sir J. Newport]—as it appeared from his proposition, he appealed to the consideration of the House, whether it was prepared to adopt such a resolution—whether it would be fair towards the India Company (particularly if that Company should decline to accept the charter under the new arrangements) to publish a declaration that all the land in India, much of which had been actually purchased by the Company or obtained in grants from the native princes, belonged *de jure* to the crown. For himself, he declared that he could not think it consistent with truth or justice to vote for such a proposition.

Mr. *Bruce* said, that he had been for many years in the habit of reviewing the documents and authentic publications of the India Company, and that he never saw a line to justify the charge of any pretension on their part to the sovereignty of India. On the contrary this Company, which was on all occasions most distinguished for its loyalty, distinctly acknowledged the sovereignty of the crown, and for that reason combined with other considerations, he saw no necessity for the declaration proposed by the right hon. baronet.

Mr. *Horner*, in explanation, stated that he did not mean to assert the claim of the crown to any such property in India as that described by his hon. and learned friend (Mr. Stephen), namely, property obtained by purchase or grant; but any territory in India acquired by arms or conquest, was, he contended, acquired for the crown, and that in such territory the India Company had no claim of property whatever.

Mr. *Tierney* observed, that the great question properly before the House was, whether the charter of the East India Company granting them an exclusive trade to India should be renewed, and upon this discussion as to the claim of property, it would be right to look to the charters of the Company. By these charters it appeared that the Company were invested with the right of building ships and employing armies, and it seemed an extraordinary assumption, that to territory acquired by these armies, which were paid by the Company, as was the army of the crown when it assisted them, that Company had no right of property whatever. He did not mean to offer any peremptory opinion upon this point, and all he desired was, that no peremptory opinion should be offered on the other side, that nothing should at present take place affecting the rights either of the crown or the Company, but that this matter should be left for fuller consideration. Indeed, this point and the resolution referring to it appeared to have arisen out of lord Grenville's speech, but he could not deem it just to support such a resolution. He appealed to the candour of the House, whether it would be just to allege that the crown was the proprietor of land purchased by the Company, in the purchase of which, in fact, the Company had contracted considerable debts? Would it be now fair, he asked, to say to the Company "you pay the debts and we will take the property?" But while he disapproved of that part of the proposition before the House, which referred to the question of property, he was ready to vote for the other part, reciting the moral duties of the India government. If parliament were about to invest the crown with additional power, he should think such a recital rather ungracious, but he thought differently when power was about to be delegated to others. Indeed, in such a case of delegation as the present, it would peculiarly become the House to impress upon the delegates the duty of considering and contriving by every means to promote the religious and moral improvement of the people committed to their government. By religious, he of course would not be understood to recommend any improper or offensive interference with the prejudices of the Indian people: but in legislating upon this important subject it would not become the House wholly to confine its views to matters of trade, overlooking the higher considerations which called upon it to improve the morality, and provide for the happiness of the vast population of our Indian dominions.

Mr. *Preston* argued that the people of India were capable of improvement, and strongly attached to their property. The hon. and learned gentleman alluded to the dissolution of the marriage articles between the Company and India, and contended that the change of the system of property introduced by lord Cornwallis, must necessarily be to the disadvantage of the ryots, the tillers of the soil. He thought the Amendment might be adopted with propriety by the House.

Mr. *C. Grant*, sen. said, the East India Company had never laid claim to the sovereignty of the country; they had only asserted that right in the soil, which they conceived to be given them by their charters. Whether they were correct or not in the view they took of this subject, at any rate it was a question not yet decided against them. The situation of the natives had been much improved by the Company. They had less to pay than formerly, their property was secured to them, and justice was impartially administered.

Mr. *Wilberforce* stated, with reference to what had been remarked on a former evening, of the extreme misery of the Indian peasantry, that he had inquired into the fact, and on the best authority, that of persons who had been in India during the government of the marquis Wellesley, he had been assured, that their condition was in general as comfortable as laws could make it, or as could be expected or desired.

Mr. *Canning* conceived that the words of the Resolution were to be understood as relating to political power, not to civil rights, or individual property.

The Amendment was then put and negatived.

Lord *Castlereagh* then moved, that the words "twenty years" be substituted, instead of "an unlimited period," with respect to the duration of the charter.

Mr. *Ponsonby*, on the question being put, said, he did not see any great advantage that could be gained by the Company by such an arrangement, but that much inconvenience might be sustained by the public. From the present state of Europe it was not unlikely that negociations might take place that would require parliament to be unfettered with respect to India. He knew it was the opinion of some that the Company could not have less time than the twenty years proposed, because the people under their government would be uneasy, from a knowledge of its short duration; but from this opinion he completely dissented, because the people, he contended, must be sensible, that if the government of the Company were done away, parliament would provide for them as good a government as they now enjoyed. There was another opinion, that if the Company should be limited to a shorter period, it would become so sickly, that government might easily seize the whole patronage, and take it into their own hands. He readily coincided, that it would not be wise to place the Company in such a state that it would not be able to defend itself. He by no means wished to wound the Company; but the motion he meant to make was founded on the opinion, that it was by no means necessary to make the Company legislate so long for India. The fact was, that if he knew how an end could be put with safety to the government of the Company, he would move it openly and avowedly, as he was no friend to monopoly in any shape; but this he did not see so clearly. The period of ten years, however, he thought, would be quite enough, as the government in that case would not be disabled from negociating with foreign powers. He looked on the present arrangement as a mere experiment, and as such it ought not to extend beyond ten or twelve years. He would move, therefore, that ten years be substituted instead of twenty, as such a period would render it more easy at any time for parliament to interfere. He concluded therefore by moving, that the charter be limited to the period of ten years.

Mr. *Creevey*, on the question being put, gave his decided negative to the whole of the Resolution, because it placed the Company in the situation both of sovereigns and merchants. This was the first renewal, since the reign of king William, of the Company's charter, that did not provide some compensation to the public for the monopoly. In the reign of queen Anne, 1,200,000*l.* was given as a consideration for the exclusive monopoly. In the year 1781 three-fourths of the profits were given to the public, after paying the dividends of the Company. In the year 1793, 500,000*l.* were to be paid to the public annually, as a compensation for the exclusive trade, out of the territorial revenue. It was now, for the first time, that it was proposed to renew the Company's charter, without any consideration to the public. The last stipulations, he admitted had not been fulfilled, but that was no reason why the usual stipulations were to be dispensed with. Had this 500,000*l.* a year been paid, the public would now have had 11 millions of money which they had never received. All participation, therefore, of the trade on the part of the public was a mere mockery. The noble lord, when president of the Board of Controul, had always given a flattering statement of the Company's affairs, it was therefore rather extraordinary that he now came forward and told them that the Company could not any longer go on in its present circumstances, as the India trade was a losing concern. They were now trading, he contended, on the surplus of their territorial revenue, which must be both hurtful to themselves and the country, as that surplus, particularly in time of war, must ever be precarious. The Company, he contended, had little interest in the trade. The payment of their dividends was their only object. The directors themselves had less interest in their mercantile speculations than in the patronage they derived from writerships and cadetships. How many old ladies were there attached to the stock of this Company who, in the choice of the directors, did not consider that they were to legislate for sixty millions of human beings, but merely considered the friends that were most likely to serve them by granting them writerships or cadetships. With respect to the Company's dividends, he contended that the best way of returning them was by the private trade, or, if that should not prove sufficient, to make certain duties on the articles in this country to cover the expence. It had been said that considerable influence would be added to the crown by this arrangement. This he certainly did not wish, but the best way to oppose that influence was to have an open trade. The Company, as proprietors, had no real stock. In other stocks, there was a permanent property, but there was no such thing with respect to those of India.

Lord *Castlereagh* said, that he should not follow the hon. member in all his arguments as to the general question. It would be unwise in the public to expect any consideration from the Company, who were under the pressure of so heavy a debt. He should observe, on this head, that there had been no deception practised by the Company in engaging in former charters, to give a sum to the public. The fact was, that peace had been expected, but that the Company, as well as the government at home, had been involved in wars. As to the proposition for shortening the term to 10 years, it was natural that those gentlemen who thought that the Company's government was not the best for India, should wish that the term should be shortened. On the contrary, those who wished the continuance of the Company's charter, would be careful not to shake the Company in the opinion of the natives; and the shortening the term of the charter would be felt as a preliminary to the extinction of the Company. The term of 20 years would certainly be too long, and any term would be too long in such a case if India were taken entirely out of the controul of parliament; but parliament had the same power over the Board of Controul, which shared the government of India, as was possessed over any other of the King's ministers. The authority still possessed by the government of this country, would extend sufficiently to any adjustment with foreign powers. Many Acts relative to India, had been passed during the term of former charters, and the same thing (regard being had to the Company's rights) might be done under this charter. By the measure now under consideration, the House recognized the principle of a free trade, although great facilities, much greater than those possessed by individuals, were left to the Company, and by these means, to a certain extent, it would possess a monopoly. It had been said, that their political power would enable the directors to injure, if not to ruin, competitors; but a high sense of the duty they owed to the country would deter them from a maladministration of their authority; besides which every reasonable security had been imposed and obtained by parliament. It was true that the Company, for the purpose of removing all competition, might, by possibility, attempt to carry on a mighty trade in some degree injurious to themselves, and ruinous to the private trader; but two modes by the Bill were adopted to prevent it—1st. It was required that the directors should keep their political and commercial accounts separate, so that parliament would always be able to inspect and controul them.—2nd. The Company was united in the mode and in the extent to which their trade should be carried in opposition to the merchant. With regard to the intercourse with China, there were, in his lordship's view, many reasons for adopting the larger term of 20 years, instead of the amendment. 1st. The great public advantages that would result from the commerce being placed in the hands of the Company for so long and so certain a period. If, indeed, the directors did not chuse to act politically, his lordship was fully persuaded that a government might be formed in India, not only adequate to the conduct of affairs there, but perhaps even more beneficial to the natives than the establishments at present existing. 2ndly. The nature of the Chinese government rendered it a matter of speculation, whether trade could be conducted with any other individuals than the Company, even though under the immediate protection of the crown of Great Britain. 3dly. A free trade, properly so called, could not be established, because on the one side, it never could be open, and consequently a partial monopoly must exist, and the price of the article would not be reduced. 4thly. It was not in the power of parliament to give the monopoly of the China trade to any other individuals, even though they would have given a premium for its possession, nor was it easy under all the circumstances, to deprive the Company of the enjoyment of it. 5thly. The continuance of the China trade in the hands of the present holders was absolutely necessary at present, to enable them to execute the functions of government; but if at any future time it should appear that the expences of government were not so great as to require it, this part of the monopoly might also be removed. Upon the whole, therefore, his lordship saw nothing to induce the House to alter the practice of former times, by renewing the charter for a less period than 20 years; and in his opinion, in a less period the experiment of an open trade to India could not be fairly tried. Parliament would be rather misled than assisted in its deliberations on a future occasion, if ten years only were allowed for ascertaining the benefits or defects of the system now about to be established.

Mr. *Rickards* commenced with reading several extracts from a Report of a Select Committee of the House, for the purpose of confirming his statements on a former evening, respecting the ruinous system on which India was governed. He would not say that all the parts of the system were equally bad, or that some were not even good; but what he contended for was, that its general tendency was ruinous. To refuse to hear the defects of any system pointed out was to shut the door to every thing like improvement. There were many accounts in circulation respecting India; but these accounts were to be taken with great caution. It ought always to be considered that they were our own accounts of our own acts. Justice, benevolence and moderation were always proclaimed as the chief objects of our government of India; and there were many who really believed that such was the nature of the government, because they wished it so. He had no desire to throw any imputation on any of the public officers at present, or who had served in India, whom in general (always excepting himself) he considered as meritorious a class of public servants as could be found any where. With respect to his own conduct, an hon. director in the House had thought proper to throw out imputations on a former evening. The papers now on the table bore the highest testimony to the zeal and the talents of those individuals who filled high stations in India. But was it not wonderful, that with such wisdom and abilities India should still be stationary, and that it should be pronounced incapable of improving by the means which in other countries have uniformly led to prosperity. There must therefore, be some radical defect in the system, and this defect he took to be the exorbitancy of the land tax. He conceived the great means by which that country could possibly be improved was a free commerce; and he had ventured formerly to suggest that as few restrictions as possible should be laid on the trade, and that the East India Company should withdraw from it, as their longer continuance in trading could only be ruinous to India and to themselves. He had had some means of becoming acquainted with many sources of the losses sustained by the Company in trading, not generally known, from the opportunities he had of knowing their affairs while abroad. It was impossible to discover their losses from their accounts, because a number of charges of a commercial nature did not appear under the head of commercial charges, but were incorporated among the political charges. Here the hon. gentleman went into a variety of detailed statements, explanatory of the manner in which the Company's concerns were managed at the several factories, and in China. Taking all the charges together, it was impossible for the Company to carry on trade without the aid of their revenues. It would be better, therefore, in his opinion, that the commercial concerns of the Company should be brought as speedily as possible to a close. And he wished the period to be no longer than merely to enable the Company properly to wind them up. When they withdrew from trade, and turned their attention solely to their political concerns abroad, India would soon have cause to rejoice. The hon. gentleman then read an analysis of the debt of India, from which he contended that the debt of India arose from the commercial losses of the Company. He then argued that the regulations of the Company were insufficient to protect the manufacturers in the interior. The commercial resident of the Company had a power over the weavers, and in Madras, it appeared, by lord Wellesley's letter of July 1804, that no merchant could purchase goods but through the Company's commercial agent. Lord Wellesley had attempted to abolish this system; but he (Mr. R.) had been informed by respectable authority there had been no change for the better. In Bombay force had been often employed to procure the Company's investment. Surat, which was a most flourishing place before the Company's government was established in India, had since rapidly decayed. The weavers in this town employed by the Company had wished to leave the town, but guards were appointed at the gate to prevent them. Such was the repugnance to work for the Company, that one cast paid the resident three or four thousand rupees to be allowed to work for private merchants. In Guzerat, the Company's agents fixed the price of cotton, which, together with the low price in China, threatened the extinction of this branch of trade. These, and a thousand other evils, of which it would take a volume to contain the enumeration, were the natural fruit and results of a system which ought to be done away, and therefore he would give his vote for fixing the duration of the Company's charter at the shortest possible period.

Mr. *Lushington* said, he should rather vote for an extinction of the Company altogether than for the shortening the term to 10 years, as such an unusual measure must shake the allegiance of their subjects. He contended that the hon. gentleman who now brought charges against the Company's judicial and commercial administration, should have laid the foundation for these charges by examining witnesses in the Committee, and not have come forward with charges of abuses which had been put a stop to for 30 years, and which had no existence but in heated imaginations. He contended in favour of the zemindary settlement and the civil administration of the Company, and concluded by saying he should vote against the amendment.

Mr. *Canning* said, he should follow the example of the noble lord (Castlereagh), and consider the present question as connected with the consideration of the length of the term of the trade to China, for the arguments applied equally to both. The argument on which most reliance had been placed by those who contended for a term of 20 years, was mere assumption; namely, that the usual term was for 20 years. It might have been thought from this, that for centuries, the custom had been to renew for 20 years; but the fact was, that exact term was granted only once before, namely, in 1791. It was also held out that the Company had a right to a renewal of their charter since the acquirement of their territorial possessions; but the first renewal of their charter after the acquirement of their territory, was merely on the petition of the Company, and on consideration of a sum of 400,000*l.* He thought it the most expedient method not to extort from the Company any pecuniary remuneration; for he did not approve of the principle of farming out nations—that the people were well governed should be the only consideration. As to the China trade, it had been said that it was necessary to the support of the government of India, but it remained to be proved, even if pecuniary aid were necessary, that it should be derived from this branch of trade, and not from some other source. He did not wish that the trade should be thrown open at present:—but he did not wish that they should preclude themselves from doing it at some future time, especially as this was contended to be the only lucrative branch. Those who wished the trade to be shut for twenty years were inconsistent if they did not wish it to be shut for ever, in support of which no satisfactory argument had been adduced. He should vote for the amendment, reserving to himself the power of proposing (in case it were negatived) another amendment, which would limit the trade to China to ten years.

Mr. *Whitbread* said, that from what he had heard in the course of that debate, he should vote against the Resolution. The Company had no title at all to the China trade, and even if he had voted for the continuance of the Indian monopoly, he might have voted against the continuance of it as to China. As to the government of India, he conceived the Company had no right to claim the merit of it, for after having governed it badly, they had been cashiered by parliament, and had ever since the mark of disgrace sticking to them. It would be better to take the power out of the hands of the Company altogether than crumble it, as was done by the Resolutions proposed by the noble lord. This parliament had a perfect right to do; for, however presumptuously the Company talked on the subject, their charter was at an end in 1814; and after their violated promises—violated, whether unavoidably or not—they had no claim of any kind on the public. No right could be raised out of their contracts with sub-monopolists, ship-builders, and others, for they had formed these engagements at their own peril. The hon. member concluded with stating, that he should vote for the limited period, and if that amendment were negatived, he would vote against the original Resolution.

Mr. *Bathurst* spoke against the Amendment, being persuaded that it was indispensibly necessary to the authority of the India Company, and the maintenance of their system, to extend their duration to twenty years. In fact, if they had not any right, as the last speaker asserted, still, from the debts they had contracted, and from the expences they had incurred in the formation of various establishments, but still more in the support of several wars for the common interest of the empire, the Company had a claim upon the consideration of parliament. If the House, indeed, should not agree to the longer period, it would be more manly at once to vote for the abolition of the Company altogether, for with a shorter period of existence, the Company must be inefficient to the objects of its institution.

A division ensued on Mr. Ponsonby's Amendment, when the numbers were—

Noes	137
Ayes	61
Majority......	76

The House again divided on the original Resolution, and the numbers were—

Ayes	184
Noes	14
Majority......	170

On the second Resolution, viz. "That the existing restraints respecting the commercial intercourse with China, shall be continued, and that the exclusive trade in tea shall be preserved to the said Company, during the period aforesaid,"

Mr. *Marryat* objected to the monopoly of the India Company. He maintained, that by throwing open the trade the India Company would not suffer any loss, although the general commerce of the country would acquire considerable gain. It was on historical record, that although a great outcry was raised in Spain against the government which abolished the monopoly of the South American commerce by a particular company at Cadiz, which abolition was decreed without any previous notice whatever to the Company of monopolists, that the trade of that Company actually increased three-fold within twenty years, while the general trade of the Spanish provinces, which received a stimulus from the abolition of the monopoly, was considerably extended. A similar consequence would, he had no doubt, follow in this case. The India Company would be benefited by pursuing only that description of trade which was profitable, and instead of overstraining its efforts to exclude private traders, it would proceed with those advantages of established connection, and superior capital, against which no private competition could injuriously operate, while private enterprize would be allowed a free scope for action. If such scope for action had existed, he appealed to the House whether it was probable that Great Britain would have derived such limited benefit from the island of Java, to which the Company had only sent two ships since it came into our possession; whereas, if it had been fully open to private traders, it would most probably have been visited by above 100 vessels. This, however, he cited, but as one instance, in which the Company, by eagerly endeavouring to grasp at every branch of trade in our Indian territories, had excluded others, without adequately, if at all, benefiting themselves.

The House then divided on Mr. Canning's motion to limit the monopoly of the China trade to 10 years.

For the Amendment	57
Against it	130
Majority	73

The second Resolution was then carried. The further consideration of the Report was postponed until to-morrow.

HOUSE OF LORDS.

Tuesday, June 15.

IRISH ROMAN CATHOLIC OFFICERS' RELIEF BILL.] On the motion of the duke of Norfolk, the House resolved itself into a Committee on the Bill to declare exempt from all pains, penalties, forfeitures, and disabilities whatsoever, enacted by the statute of the 25th Charles 2nd, intituled, 'An Act for preventing dangers which may happen from Popish recusants,' all such of his Majesty's Popish or Roman Catholic subjects of Ireland as by virtue of the act of parliament of Ireland, of the 33d of his Majesty's reign, intituled, 'An Act for the relief of his Majesty's Popish or Roman Catholic subjects of Ireland,' hold, exercise, or enjoy any civil or military offices or places of trust or profit, or any other office whatsoever, of which his Majesty's said subjects are by the said act of parliament of Ireland rendered capable.

The Earl of *Liverpool* said, he had fully given his approbation of the Bill; and the amendments he was about to propose, were only to supply an omission in one part, and in another, to make the intention of the measure as clearly expressed as it was intended to be by the noble duke himself. It had been observed, that if any Irish Catholic, enjoying a military office, such as that of ensign, in Ireland, and of which he was made capable by the Act of 1793, should afterwards come to England and be appointed a captain, or other officer, he might be required to take the oaths of the Test and Corporation Acts; and for this purpose he should propose the addition of a clause, stating, that if any Irish officer or private, being a Roman Catholic, should come to England, and while in this country should be appointed to any office of which he was capable by the Act of 1793, he should be freed from all the penalties which would attach by the Act of 25 Car. 2. From the meaning of the Act of 1793, and the articles of the Union, he thought this should be expressed so clearly, that no doubt could be entertained on the subject.

The Duke of *Norfolk* did not rise to suggest any objection to the amendments proposed by the noble earl, but to express the satisfaction which he felt at so much readiness and attention which were given to this measure from that quarter of the House.

Lord *Holland* did not rise for the purpose of making any observations at length upon the principle of the Bill, or the subjects with which it was so nearly connected. Indeed, at all times, it was with pleasure he beheld the smallest invasion of what he must term a system of persecution. But, although he was glad to perceive the smallest advance towards a different order of things, yet the amendment proposed by the noble earl pourtrayed to his mind a measure of the greatest inconsistency. How would this Bill, amended as proposed, apply to the Irish Catholic, the English Catholic, and the Irish Presbyterian and Dissenter? He should wish to ask the noble earl, upon the principle of the measure itself, why the English Catholic should not be admitted to the same privileges as the Irish? But as the clause proposed by the noble earl now stood, an English Catholic could not arrive at these privileges, unless he passed St. George's Channel, and then being appointed to an office in Ireland, and afterwards returning to this country, he would have a right to claim the exemptions of the present Bill. If, however, another English Catholic had not breathed the air of Ireland, he must still remain debarred from the benefit of the law. If it was good to be granted to an English Catholic in Ireland, for what reason or on what principle of justice ought he to be refused the same immunities, because he had never left this country? The anomaly of the former law was absurd, but this would make it more absurd and more incoherent, for in respect to the Irish Dissenters, they were not so hardly dealt with in Ireland, as they were upon coming to England, where provisions had been made for Popish recusants. Indeed, he was not altogether sorry for the absurdity, as it might more and more render the system of intolerance and persecution ridiculous; but, at the same time, he was ready to give his vote for the Bill, and for the additional clause, and he was glad that so small an advance was made for the purpose of lessening the penalties of the Test Act.

The Earl of *Liverpool* said, he always understood the Bill proposed by the noble duke, was in its principle confined to one object, that of extending to the Catholics of Ireland, while in England, the same privileges which were meant to be extended to them by the Act of 1793. This Bill was rather of a declaratory nature, and was in principle confined to the Act of 1793, and he wished it to be considered, without any reference to those general subjects to which the noble lord had alluded. Besides, in respect to the Dissenters in Ireland, they were not to be affected by any explanation to be given to the Act of 1793.

Lord *Holland* thought the noble earl possessed a curious kind of faculty in debate. He seemed to possess a peculiar system of political geography, which he could apply in different ways for his own purposes. Last night he had contended, that the subject was not to be considered as insular, but on the present occasion he was for having it insular altogether, and was determined that no other subject should be blended in the discussion. He (lord H.) was of a different opinion; he thought that the great anomaly in the law, as it affected Catholics and Dissenters, whether in England or in Ireland, ought to be removed. The consequence of the present Bill, though he approved of it, would be to render this anomaly still greater; and yet, for reasons he could state, he did not know but he should rather wish to see the Bill pass in its present state, without the alteration he should recommend, as one good effect would certainly ensue, that the incoherence and absurdity of these laws of intolerance and persecution would be made still more flagrant and ridiculous, and might in this way perform the good work of their own destruction.

The Duke of *Norfolk* observed, when he brought forward this Bill, it was for one object only. He agreed with many of the observations of the noble lord, and the subjects to which he had alluded were well deserving the attention of the legislature, and might very properly form the matter of another Bill to be presented to that House. He could not, however, admit that it would have been right to have incorporated them in the present, for the Act of 1793 wholly referred to the Irish Roman Catholics, and did not apply to any immunities of the Irish Dissenters.

The amendments and the clause proposed by the earl of Liverpool were then agreed to, and the Bill was ordered to be reported.

HOUSE OF COMMONS.

Tuesday, June 15.

New Street Bill.] Mr. *Wharton* brought up the Report of the Bill for a New Street from Marybone Park to Pall-Mall.

Mr. *Calcraft* adverted to the very considerable expence which must be incurred by pulling down from 7 to 900 houses, according to the plan. His first objection was to the clearing away so much valuable property as would be necessary to be removed in order to form the intended square opposite Carlton-house. There were many houses in Charles-street which might be well spared, but he understood that the plan included the demolition of the house of lord Galloway, which was worth (as he supposed) 16 or 17,000*l.* His next objection was to the circusses, which were to be made where this street was to cross Piccadilly and Oxford-street. These circusses would not only entirely spoil the view down those two fine streets, but would oblige the passengers to go out of their way. He thought those circusses would be nuisances in the day-time; but he could not say what they would be in the night. The reason which the surveyor, Mr. Nash, had given for this circus in Oxford-street, was, " that it would avoid the sensation of passing Oxford-street, and insensibly unite the two divisions of the city." Now he must stand up for Oxford-street, even against the opinion of Mr. Nash, and say, that he did not think so fine a street ought to be spoiled, merely to avoid the sensation of crossing it. The estimate of the expence of this street was 500,000*l.*; but he understood that it would cost a great deal more. He understood that the Globe Insurance Company were to lend 300,000*l.* of this money, at 5 per cent. on the condition of having the whole of the crown property insured at their office. He did not know that this was an improper bargain, but he hoped that as much economy as possible would be used in so large an expenditure.

Mr. *Wharton* said, that he thought the calculations, which he laid before the House, were most accurately made. He was disposed to rely as much on the estimates of Mr. Nash, as the hon. gentleman was upon those which he had received. His own estimate was 330,000*l.* and an amendment which he meant to propose for some improvements in Swallow-street would make it 40,000*l.* more.

Mr. *P. Moore* said, as they differed so much about estimates, that he wished to see that word changed for contracts. He also wished to have this whole plan executed by contract, and not, as was sometimes usual, by giving a commission of 5 per cent. to the architect. If example were necessary to recommend this, he would mention that of Mr. Pitt, relative to the commissioners of the Sinking Fund.

After a desultory conversation, during which Mr. W. Smith, Mr. Bankes, Mr. Bennet, Mr. Baring, sir J. Newport, Mr. Preston, and sir Robert Heron, spoke against some parts of the plan of the New Street, and in favour of economy, the amendments were read a second time; after which the Bill was engrossed, and ordered to be read a third time to-morrow.

Corn Laws.] On the order of the day being read,

Sir *Henry Parnell* said, it was his duty, as chairman of the Corn Committee, to call the attention of the House to the Report which had been laid on the table.* He was not so presumptuous as to think that an alteration in the Corn Laws was a subject free from great difficulty, but he was satisfied that every pains had been taken by those who were the most capable of judging correctly upon it, to overcome that difficulty. Since the Committee had made their Report, frequent consultations had been held between those members of the Committee who were the most diligent in their attendance and the government, concerning the resolutions which were recommended by the Committee; the several interests that were implicated in them had been minutely considered, and such alterations made in them as would enable him to propose them to the House with a very sanguine expectation that they would be found in every respect well calculated to attain the object of sufficient supply of corn of our growth, at steady and moderate prices. As there was no subject on which the passions of men are so violent and their judgment so weak, and on which there always exists a multitude of ill founded prejudices, it was very essential in the first instance distinctly to declare, and forcibly to impress upon the House, and through it on the public at large, what was the intention of the proposed alteration of the Corn Laws. But before stating what it was, it would be proper to say what it was not. It was not the object of the Report of the Committee to increase the profits of any particular set of dealers, either of farmers or of landlords. Their situation required no such aid. Their affairs had long been and still were in a very prosperous condition. They were no parties to this proceeding, no petitions had been presented to the House by them, nor was any complaint made by them of the existing regulations which governed the Corn Trade. The Committee, so far from adopting those views, which have usually influenced the leading advocates of the landed interest, of high prices for agricultural produce, have proposed to abolish the system of giving bounties on the exportation of corn, which has at all times been considered by them as of essential importance to farming profits. They have been influenced by no other motive than that of a strong sense of the danger of continuing to depend upon our enemies for a sufficient supply of food, and of the impolicy of sending our money to improve other countries, while we have so much of our own lands that stand in need of the same kind of improvement. The whole object of their Report is merely to prove the evils which belong to this system as it now exists, and to obtain such an alteration in the law as shall draw forth our own means into operation of growing more corn, by increasing the capital that is now vested in agriculture. If they succeed in this they will secure a greater production of grain, at the same time with diminished expences in producing it, and at reduced prices to the consumer. For if the agricultural capital is considerably increased, its effects on the quantity produced, and the expence of production, and also in lowering prices, will be just the same as when employed in manufactures. Every one knows how it operates in increasing the quantity of manufactures; and that those who employ it in manufactures can afford to sell them at very reduced prices, in consequence of the reduced expences at which with its help they can make them. In the same way the farmer by being able to render his land more productive in proportion as he improves it, and at a small expence according as he makes use of good implements, will be able to afford to sell his corn at reduced prices; and in this manner the increase of agricultural capital will secure us a sufficiency of food independant of foreign supply, and at the same time at a reduced price to the consumer. That great evils belong to the present system it is scarcely to be imagined that any one can deny. The average price of wheat for the last year was *125s.*; for an average of the four last years *105s.* A very considerable proportion of this rise of price is owing, no doubt, to the depreciation of money. But no small part of it to the system of importing corn from foreign countries; for no greater error can be fallen into, than that of supposing the prices of corn are kept down by foreign importation. If the prices of a single year or only of any short period of time are taken into our calculation, a supply of foreign corn will no doubt diminish them, and for that period make them lower than they otherwise would be. But, let the question be examined on a more general view of it, and the way to look at it, is to examine what effect this lowering of price will have on the production of corn of home growth in the following years. If the effect of it is to diminish the profit of the British farmer, as it no doubt is, it operates two ways in diminishing the production of British corn, first by diminishing his capital, which depends on his profits, and secondly by making him apprehensive of disappointment if he continues to keep the whole of his capital vested in land. But this diminution in the production of British corn, it will be said, may be made good by an increased supply of imported corn. So it certainly may, but in what way does this system of successively increased importation operate on prices? It is clearly the interest of the merchant importers to have the price as high as possible; they will, therefore, so manage the supplying of the market as to let it be as high as circumstances can make it before they come into it. These merchants, knowing the home growth is inadequate to the demand, will naturally allow the deficiency to run up the price exceedingly high before they come forward to provide for it; and in this way the price of corn is at all times regulated by the deficiency, and not at all lowered by importation until the established merchant importers become afraid of competitions being set on foot with them by excessive high prices encouraging new dealers to embark in their trade. And then, when they do bring their foreign corn into market, they give it out in such quantities as shall not much lower the prices; and always very carefully prevent any thing like a competition of foreign corn against foreign corn, but, on the contrary, being very well aware that a very high price on a small quantity, will pay them much better and with infinitely less trouble and risk, than a moderate price on a larger quantity, they feed the market by little and little, and thus render the deficiency of our home growth a perpetual source of great profit to themselves, and of high prices to the consumer. So long, therefore, as we are in any degree deficient in supplying ourselves with corn of our own growth, there must be a degree of advanced price of corn which would otherwise never exist; foreign importation in fact denotes the existence of such an advanced price; that capital is by some means or other diverted from agriculture; and that the consumers of corn are more or less at the mercy of the merchant importers, and giving them a profit through an advanced price that ought to go to increase the capital of the farmer; and enable him to grow more and more corn in proportion as the wants of the people increase. The accuracy of this reasoning is in a great degree sustained by the notoriety of the immense fortunes which have been made of late years by those who are concerned in the trade of importing corn. But the great practical evil which belongs to our present system is the degree of dependance in which we exist on our enemies for a supply of corn. In the last 21 years we have paid them 58,634,135*l.* In 1810, we imported from France 334,887 quarters of wheat, and 202,922 cwt. of flour. This importation from France enabled the French Emperor to quell a very serious insurrection that had commenced in consequence of the low price of corn in the south of France; and to collect a very large revenue from us by a high duty on the corn he allowed us to bring away. But if there had not been a plentiful harvest that year in France, if, in addition to this circumstance, the continental system had excluded us from drawing a supply from Germany and Poland; and if we had then been at war with America, and the government of that country had combined with the Emperor of France to take advantage of our want of corn, what extreme misery must have been the consequence to the lower orders of the community? But though we escaped this misery in that year, we are and shall be continually exposed to it, so long as we remain indifferent to the danger that threatens us, and make no effort to secure a sufficiency of corn of our own growth for our consumption. This consideration is surely of the very first importance, for if we look into the history of mankind we shall find there never has been an instance of a large nation continuing with undiminished vigour to support four or five millions of its people on imported corn. It is also a great evil that we should so largely contribute to the improvement of the lands of foreign countries, and to their national wealth and prosperity, while so much of our lands stand in need of improvement, and we have so large a portion of our people, as the lower orders of the people of Ireland, in a state of the greatest poverty and misery. If the millions which have been spent in buying foreign corn had been circulated among the small farmers of Ireland, the face of that country and the condition of the people would have been very different from what they now are. It should also be observed that the system of importing foreign corn goes directly to increase the naval strength of our enemies, as the trade is entirely carried on in foreign ships, navigated by foreign seamen. Such then being the evils belonging to this system, in looking for a proper remedy, the first thing to be ascertained is, whether the united kingdom possesses the means of growing a sufficiency of corn for its own consumption. The means which England, Scotland and Wales possess of increasing the production of corn are so well known, that the Committee did not consider it necessary to examine any evidence on that head. Every one who has ever turned his attention to this subject, must allow that the average acreable produce of the land now in tillage might be greatly increased by the general introduction of the improved system of husbandry. This system is now confined to a very few English counties, and the eastern counties of Scotland; if it were extended over the whole island this circumstance alone would render us independant of foreign supply. Every one also knows what resources of additional production the waste lands afford. But it is in Ireland where an additional growth of corn may be obtained in the greatest abundance. As the state of the tillage and the capacity of extending it of that country is not much known here, the Committee felt it to be their duty to give to the House all the information it was in their power to collect. This fully proves that the means of Ireland to grow more corn, are not only adequate to supply the deficiency of this country, but to provide for a great exportation to our colonies and foreign countries. Such being the state of the case, in regard to the powers we possess of growing even more than we want, it next comes to be considered in what way we can best draw those powers into action, and we are thus led to examine the several political institutions which in any way interfere with agriculture. The laws that relate to the importation of foreign corn are those which are of the most effect and importance, and as some of them restrain it, others encourage it, we are called upon to examine by reference to general principles, and to experience, which of the two systems is the best. Those who advocate the system of a free trade in grain found their opinions on the authority of Dr. A. Smith. But if the writings of this able writer are carefully examined, it will be found that he recommends a free trade only on the supposition that all the nations of Europe should adopt the same common policy. He says, "Were all nations to follow the liberal system of free exportation, and free importation, the different states into which a great continent was divided, would so far resemble the different provinces of a great empire. As among the different provinces of a great empire, the freedom of the inland trade appears, both from reason and experience, not only the best palliative of a dearth, but the most effectual preventive of a famine; so would the freedom of the exportation and importation trade be among the different states into which a great continent was divided."

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* A copy of the Report will be found in the Appendix to vol. 25.

From this reasoning, and this is the only reasoning he makes use of on the subject, it is plain that his opinion is a conditional opinion, and founded on the assumption that the policy of Europe ought to be altogether different from what it really is. The fair inference therefore to be drawn from his argument is, that he would not have advised a free trade as the best suited to the actual state of things. But it is not necessary to rest the case of a contrary system on such an inference, for if we take his general principles, and analyze his arguments for proving the impolicy of all legislative interference with trade, we shall find they do not apply to the case of the corn trade. He shews that such interference is bad because it diverts capital from its natural course into channels in which it is less productive, and less beneficial to the community; and because we may either do without those things or obtain cheaper from foreign countries, which are considered so desirable to be attained by so leading capital out of its own way to produce them. Now in regard to the producing of corn, what he says upon the effects of capital employed in agriculture, proves that there can exist no such evil as that of improperly leading it into tillage, especially so long as we do not grow enough for our own supply. He says, "The capital employed in agriculture, not only puts in motion a greater quantity of productive labour than any equal capital employed in manufactures, but in proportion too, to the quantity of productive labour which it employs, it adds a much greater value to the annual produce of the land and labour of the country, to the real wealth and revenue of its inhabitants, of all the ways in which a capital can be employed, it is by far the most advantageous to the society."

If, then, any law shall contribute to vest more capital in agriculture, than would have been vested in it if no such law had existed, it cannot be productive of the injury, that the generality of laws which so interfere with capital give rise to, because that capital cannot be employed in a way more beneficial to the community. In respect to the other objection, that such laws contribute to the production of things with the use of which we may dispense, or if necessary obtain cheaper and better from foreign countries, we have Dr. Smith's own authority for saying that the nature of things has stamped on corn a peculiar value, and, therefore, for saying, that the trade in corn forms an exception to all trades, and ought not to be governed by the same general rules. This peculiar value consists in the absolute necessity of having it within our reach, and without being at the mercy of any other country for a supply of that, on which our very existence depends. We may do without cotton or sugar, or silk, or tea, or we might obtain them cheaper from our enemies than from our colonies, but that supply of corn which is necessary to keep the people from famine, cannot be dispensed with. Just then, in proportion as we habituate ourselves to receive any part of it from foreign countries, we expose ourselves to a famine, or a disgraceful submission to them whenever they may find themselves, in consequence of our harvests being bad, enabled to deprive us of the means of subsistence. If then an independant supply of a sufficiency of corn for our own consumption obviously and necessarily forms one of the most essential objects of national concern, that part of Dr. Smith's writings, which points out in what manner the supply of any particular commodity is best to be secured is exactly and most forcibly in point to shew the necessity of restriction on foreign importation. He says, that the supply of any commodity will always be in proportion to the demand for it. Let us see how this doctrine will apply to this case of a supply of corn of British growth. If the demand for it can be met by a supply partly of home growth, and partly of foreign growth, it is plain that its effect on increasing the home growth, must be lessened just in the degree by which that of foreign growth is brought to meet it. To have, therefore, the full benefit of this principle of Dr. Smith's in aid of the object of an independant supply of British growth, no part of the demand ought to be supplied by corn of foreign growth, the importation of it ought to be restrained, and in this manner, a reliance on this general principle for governing our legislative regulations would directly go, first to the increase of the production of corn of British growth, and finally to the establishing of so greatly an augmented growth of corn as would secure at all times an abundant supply of it. So far, therefore, as the principles of political œconomy bear on the trade in corn, it may be said that the very peculiar character of this trade takes it out of the general rule, and that the superior advantages which flow from a capital vested in agriculture, to the general wealth and improvement of the community, when coupled with the vital exigency of securing an independant supply of corn, justify those legislative measures, which have for their object the investment of as much capital in tillage, as shall be adequate to the end of rendering us completely free from the aid of foreign and hostile nations. But such measures would not be requisite was there no legislative interference whatever in matters of trade. If capital was left quite free from the interposition of laws giving encouragement to its investment in every species of manufacture, and every branch of trade, there would be no necessity for any parliamentary regulations. It is in order to counteract the perpetual operation of the system of bounties, monopolies, and protecting duties in taking capital from agriculture, that any law in favour of the corn trade becomes desirable. If every kind of trade were perfectly free, agriculture would not require any protection; but as every kind of trade is supported by some sort of legislative aid, it is folly to refuse it to that trade which is the main support of all others. If all those who are concerned in manufactures and commerce will consent to adopt the system of a perfect free trade, those who are now advocates for restraints on the importation of corn will willingly abandon on their part all claim to any such protection. The history of the corn trade and corn laws of this country affords abundant illustration of the accuracy of the foregoing reasoning on general principles, and of the expediency of restraining the importation of foreign corn. By the law of 1670, if the price of wheat exceeded *53s.* per quarter, there was a duty payable on the importation of foreign corn of *8s.* per quarter: if it was below that price there was a duty of 16*s.* per quarter. This regulation was in fact a prohibition of importation, for the price of *53s.* in those days was a famine price. This law remained in force till 1773, except when suspended by annual acts. The accounts of the imports and exports of grain shew that so long as it was in operation, there was a constant excess of exportation. In 1773, the system of restraining importation was abandoned, and a contrary one adopted. The same accounts shew that, with very few exceptions, there has been a constant excess of importation. In the last few years the quantity imported has been very much diminished, and the home growth greatly increased, but these circumstances are to be accounted for by the new restraints that have been imposed on importation by the decrees of the French government, and the operation of the continental system in interrupting the trade between this country, and those parts of the continent from whence corn is usually brought. To these restraints are to be attributed the high and steady prices which corn has brought during the last four years; the consequent increased production of it at home; and the very satisfactory result, of our having exported more than we imported in each of the last two years. In 1811, the value of corn exported from the United Kingdom to foreign countries exceeded that which was imported by 286,910*l.* and in 1812, it exceeded it by 285,379*l.* If the trade with the continent was again opened either by the retreat of the French emperor, or by peace, these restraints would be removed, the existing law would afford no obstacle in the way of importation; and so much foreign corn would come in, as would deprive the growers of it of a fair return for the labour and capital they have applied in extending tillage, and they would necessarily by such events be discouraged from continuing their speculations in improving their lands, and increasing the production of corn. The progress we are rapidly making to complete independence in regard to a sufficient supply would in this way be totally put a stop to, and the whole mischief, from which we have nearly escaped, would be again established. For these reasons it is peculiarly necessary, under the existing circumstances of European politics, to provide at this particular time against so great an evil. The effect of the French decrees in advancing the tillage of Ireland has been peculiarly striking. The increased demand for all the corn that he could grow, in consequence of the usual supplies from Holland, Germany and Poland being cut off, has given the greatest stimulus to the Irish farmers, and enabled them to provide in the last year for an exportation of corn of the value of three millions. This is a state of things wholly new in that country, and only to be accounted for by the difficulties of obtaining corn from the continent. Every one who knows any thing of the interior of Ireland agrees in this, and so well aware is the Irish farmer of the effects of foreign importation, that his exertions in improving his land, and embarking deeper in tillage in preference to keeping his ground in grass, are entirely governed by the probability of keeping or losing the full benefit of the English market. The value of this market can only be justly estimated by those who have had the opportunity of witnessing the great progress which Ireland has made in the last four years in its general appearance, and in the improvement of the condition of the small farmers, and the lower orders of the people. No country, probably, ever made more rapid strides in so short a time. As there can be no question about the policy of giving a preference to Ireland over foreign countries, and as so great advantages have accidentally arisen from the measures of our enemy, these considerations alone should be sufficient to induce the House to make certain of the continuance of these advantages, by providing against the effect of a renewed commercial intercourse with the continent, in taking away from Ireland the benefit of the English market. There is a further reason for so doing, and one of no light nature, namely, the tendency which the improvement of the wealth and condition of the people of Ireland by the English market has had and will continue to have in attaching them to the English connection. That the existing law should be amended, must be allowed on all sides, for it is not consistent either with the system of a free trade, or that of a restricted one; by it, in point of practice, exportation is prohibited, and importation is free. A free trade would be in every respect preferable to such a system as this is. The committee in forming an opinion in respect to the alterations which were most advisable to be made, conceived that they could adopt no course so safe as that which the experience of more than a century went so far to prove to be a wise one: They therefore recommended to the House to recur to the principles of the law of 1670, for a plan to regulate importation in future. If there had been no alteration in the value of money since that period, they would have recommended the same prices and duties which are to be found in that law, but as a very great change has taken place in its value, they have had recourse to the average prices of corn to assist them in determining what should be the prices to be fixed at this time as the nearest in value to the prices of 1670. The average price of wheat for 20 years to 1670, was 42*s.* 4*d.*: this sum, with one third part added to it, makes 56*s.*, being a little more than the price fixed in 1670, for regulating importation. The committee, therefore, in order to find what price should now be taken, have added one third to the average price of wheat for the last 20 years. This average price is 78*s.* 11*d.*, which, with one third added to it, makes 105*s.* 2*d.* Though this has appeared to many persons to be too high a price, if the great change in the value of money which has taken place of late years, was thoroughly examined by them, they would find reason for not persevering in their opinion. No one can say after the experience of last year, during which the price of wheat was on average 125*s.*, that 105*s.* is a scarcity price. Whereas 53*s.* which was the price fixed in 1670, was a famine price, as we may collect from the circumstances of the very scarce year of 1696, when the highest price of wheat was 56*s.* But as it appears to many persons that 105*s.* is too high a price, the Resolution which will be submitted to the Committee has been formed by adding one-fifth to the average of twenty years instead of one-third, making the price 95*s.* And even this price will not be the actual protecting price against importation, because it is proposed to impose on a graduated duty beginning at 1*s.* in place of a prohibitory duty. It is proposed that the duty shall increase 1*s.* per quarter for each shilling which the quarter of wheat shall be below 95*s.*; so that 85*s.* would in point of fact be about the protecting price, when the duty per quarter would be 11*s.* But this price would again be a more effectual protecting price than at first it would appear to be, because it is further proposed to take the price of corn for regulating the duty on the average of the united kingdom, in place of the present way of taking it on the average of the twelve maritime districts. This would make a difference of 6*s.* per quarter when the average price of the twelve maritime districts is 100*s.* It is also proposed that in each successive year, the price at which the duty of 1*s.* per quarter and upwards shall be paid, shall consist of the average price of the last twenty years, with one-fifth added to it. The object of this regulation is to provide against future fluctuations in the value of money. These regulations are to be applied to each sort of grain. The price at which the duty of 1*s.* per quarter will be payable on barley, will be 48*s.* 9*d.* on oats 32*s.* 8*d.* and on rye, peas, and beans, 58*s.* 9*d.* The probable operation of these regulations may be known by reference to a table that has been framed on the supposition that the principle of them had been adopted in 1791. From this table it appears that the importation of corn would have been free in all those years in which the harvests were bad, and where a supply of foreign corn was really necessary. These regulations cannot justify any apprehension of their being productive of any advance in the present price of corn, as the present price of wheat in the twelve maritime districts is 115*s.* per quarter, and therefore must fall 30*s.* per quarter, that is to 85*s.* on an average of the united kingdom, before they can produce any efficient interruption to the importation of corn.

If the several other political institutions of this country were carefully investigated, it would be found that many of them contribute very much to prevent capital from being vested in agriculture, and, therefore, that they afford further reasons for adopting the proposed regulations. The whole commercial system of this country is of that character—the Navigation Act—the Colonial Monopolies—every bounty, and protecting and prohibitory duty, each and all of them operate as a constant encouragement to the investing of capital in trade and manufactures in preference to agriculture. The tythe system forms a great impediment in the way of increasing tillage. The borrowing of such immense sums for the public service, by injuring public credit, takes from the landlord and the farmer the means of raising money for the purpose of carrying on improvements, for they cannot overcome difficulties of obtaining money, when the interest of it is very high, in the same way that merchants and manufacturers are able to do; and lastly, the depreciation of money contributes very much to depress agriculture, as nothing forms so great an obstacle to the letting of long leases, as the apprehension that money will become still more depreciated.

With respect to the exportation of corn, it is proposed to make it free at all times. The policy of such an arrangement, is so ably illustrated by Dr. A. Smith, that the best explanation of it which can be given to the House is to be found in his own words. He says, " The trade of the merchant exporter of corn for foreign consumption, certainly does not contribute directly to the plentiful supply of the home market. It does so, however, indirectly. From whatever source this supply may be usually drawn, whether from the home growth or from foreign importation, unless more corn is either usually grown or usually imported into the country, than what is usually consumed in it, the supply of the home market can never be plentiful. But unless the surplus can, in all ordinary cases, be exported, the growers will be careful never to grow more, and the importer never to import more, than what the bare consumption of the home market requires. The prohibition of exportation limits the improvement and cultivation of the country to what the supply of its own inhabitants requires. The freedom of exportation enables it to extend cultivation for the supply of foreign nations."

In addition to the several resolutions which relate to the exportation and importation of corn, it is intended to propose one for regulating the distillery from sugar. Those persons who have usually been the most forward in opposing this measure, have admitted the fairness of the principle, to make use of sugar in the distilleries, wherever the price of corn shall be so high as to indicate the actual necessity of foreign importation.

To the many objections which have already been made to the proposed alterations of the corn laws, it is by no means difficult to give very satisfactory answers.—The Report is said to be deficient in information. In respect to the corn trade and laws of Great Britain, there is an abundance of information contained in the references of it to acts of parliament, and in the papers and accounts that are in the appendix. There is certainly no evidence on these heads. But this was a point not overlooked by the committee, but debated by them, and decided upon, in consideration of the frequent enquiries that have been made of late years, into the corn trade of Great Britain by select committees. The question at issue, is not in reality a question of evidence, but one of general principle to be governed by those facts, which can only be known by the means which the Report supplies. In respect to the corn trade of Ireland, as the subject was quite new to the House, and as so much of the expediency of the plan depends upon the capability of Ireland to grow a sufficiency to supply the demand of Great Britain, the Committee went into evidence upon it, and have fully proved by very competent witnesses, that Ireland is a country capable of growing corn to any imaginable extent.—The petitioners of Glasgow say, that the proposed alteration will raise the prices of corn, and the wages of labour, and in this way injure the poor, and deprive this country of its manufacturing superiority; but the whole of their inferences fall to the ground in consequence of their being founded on the assertion, that we are not able to grow a sufficiency of corn for our own consumption, and, therefore, that we must import foreign corn.—Several persons who are concerned in the trade of importing corn have been very active and loud in endeavouring to establish an opinion, that this plan will raise the price of the quartern loaf, but their zeal is to be accounted for very easily by their own particular trade being no doubt likely to be very much injured by its success: how far they are accurate in their assertions is also easily to be seen, by comparing the present price of corn with what it must be in order that the plan can at all obstruct foreign importation.

As to the time of bringing the question forward, it is the present price of corn that renders this time peculiarly fit for making the alteration, that is now required, because as no interruption will be given to the existing course of trade; there will be no just ground for popular alarm and popular clamour. As to the lateness of the session, which some have urged as an objection to the motion, it may be replied, that this subject has been before the House during the whole of it. Notice was given that a committee would be moved for in the first week of February, the committee was appointed in March, it sat six weeks, the report was made the 11th of May, and the resolutions of the committee having been printed in the votes of that day, the country has been fully apprized of the nature of the present proceeding.—If it shall receive the sanction of the House the most salutary consequences may be expected from it. The present great efforts of the farmers of the United Kingdom to extend tillage will be effectually encouraged, the increased supply of corn will not only give us a sufficiency, but a surplus for exportation to our colonies and foreign countries. The condition of the lower orders of the people of Ireland will be rapidly improved, the most certain practicable security against scarcity will be attained, and the prices of corn will be rendered steady, and in the end be in reality lower than ever they yet have been. If steadiness of price shall be alone the result, a most valuable object will be acquired, because it is not a high price which injures the poor man, but a price that fluctuates, for as the wages of labour are regulated by the general average price of corn, in those years in which it is very high, the wages of labour do not rise proportionally to the price, and the pressure of the advance in price falls entirely on the poor. But the most substantial benefit which the public will derive from a wise revision of the corn laws will be, its independence of foreign countries, for if we can once establish an average production of corn sufficient for the average consumption of the people, whenever a harvest may fall short, the deficiency can never be so great, but that we shall be able in all probability to obviate the distress of scarcity by a suitable economy; and even if this resource were to fail, the quantity of corn which might be necessary to be imported would be so small, as to be obtained with a certainty from some part or other of Europe or America.

The hon. baronet then moved, "That this House will immediately resolve itself into a Committee of the whole House to consider of the said Report."*

Lord *Archibald Hamilton* said, that the question was, whether or not they should then go into a committee on the Report? and, for his part, he was opposed to go into it, not because he was averse to going into the question, but because he thought it should be deferred till another session; for the question was of too much importance to be disposed of at such a period of the session; and if he could consent to

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* The following are the Resolutions which were afterwards proposed to the Committee:

Resolved, 1. "That it is expedient that an Act, made in the 44th year of the reign of his present Majesty, intitled, "An Act to regulate the importation and exportation of corn, and the bounties and duties payable thereon;" and also an Act, made in the 45th year of the reign of his present Majesty for explaining and amending the said Act of the 44th year, be repealed; except only so far as the said Act of the 44th year repeals any part of an Act, made in the 31st year of the reign of his present Majesty, intitled, "An Act for the regulating of the importation and the exportation of corn, and the payment of the duty on foreign corn imported, and of the bounty on British corn exported."

2. "That it is expedient, that so much of the said Act of the 31st year of his present Majesty's reign, as regulates the exportation of corn from Great Britain, for victualling and providing any of his Majesty's forces, forts or garrisons, or the exportation of corn to certain places from cerrtain ports in Great Britain, as described in the table marked (C.) in the said Act: and also so much of said Act as prohibits the exportation of corn or bounties thereon, be repealed.

3. "That it is expedient, that so much and such parts of any Act or Acts, passed by the parliament of Ireland, as regulate the exportation or importation of corn, or as grant or allow any duties or bounties thereon, be repealed.

4. "That it is expedient, that the exportation of corn and grain, from any part of the United Kingdom, should be permitted, at all times, without the payment of any duty, and without receiving any bounty whatever.

5. "That it is expedient, that Ireland should be divided into four maritime districts, and four inland districts; and that the prices of corn and grain, with them, should be taken and returned to the receiver of corn returns, in like manner as in England.

6. "That it is expedient, that the duty on the importation of corn, grain, and flour, into any part of the United Kingdom, should be regulated by the aggregate average price of corn, in the whole of the twelve maritime districts of England and Wales; the four maritime districts of Scotland, and the four maritime districts of Ireland.

7. "That it is expedient, that the importation of corn and grain, into the United Kingdom, should be permitted, whatever the price thereof may be in any part of the said United Kingdom; subject only to the following duty (that is to say) whenever the average price of wheat, rye, barley, beer or big, oats, peas or beans, throughout the whole of the United Kingdom, shall exceed the total amount of the average price of each corn or grain respectively, within Great Britain, for the 20 years ending the 5th day of November then next ensuing, together with a sum equal to one-fifth part of such average price added thereto, then, and in such case, a duty shall be paid on the importation of each such corn or grain respectively into any part of the United Kingdom, at and after the rate of 1*s.* for every quarter of such corn or grain respectively, and no more; and whenever the average price of any such corn or grain respectively, shall be less than the amount of such average price in Great Britain, such 20 years, with the addition of one-fifth part as aforesaid, by the sum of 1*s.* or 2*s.* or any further sum of 1*s.* then a further increased duty shall be paid on the importation of each such grain respectively, at the rate of 1*s.* for every quarter so imported in respect of and equal to every shilling by which the price of such grain respectively shall be less than the amount of such 20 years average price, with the addition of one-fifth part as aforesaid.

8. "That corn or grain, the growth or produce of Quebec, or the other British colonies or plantations in North America, may be imported into any part of the United Kingdom, whatever the price of corn or grain may be, without the payment of any duty whatever on the importation of the same.

9. "That it is expedient, that no wheaten flour or meal of wheat, nor any

go into the committee, he should object to the Resolutions of his hon. friend, as he understood them to be totally different to the recommendations of the Select Committee. The noble lord adverted to the Report; he said that it was alleged that the quantity of corn grown was insufficient for the consumption of the country, and it was therefore dependant on foreign countries; it was proposed to render it independent by the Resolutions of his honourable friend; but he must say, that he would prefer partial dependance with low prices, to absolute independence and bread at a high price. The high price of grain was considered to be such as to form a ground for parliamentary interference: and yet the Resolutions of his hon. friend would raise the price still higher. The exports from Ireland last year amounted to 2,900,000*l.* and in former years to 1,700,000*l.* and yet the gentlemen of Ireland were discontented! He did not know what exports would content them. The export of grain from Ireland had been so great, that the Committee recommended some of the arable land of England to be laid down in grass to provide more butcher's meat; and yet his hon. friend spoke of extending the agriculture of England, for the purpose of growing more corn. In the Report, the Committee recommended that permission should be given to export corn, till it arrived at a very high price. On that point he should say but little; it was quite sufficient to state, that the high price was 125*s.* per quarter, to influence every man, conversant with the subject, to oppose such a principle. He did not think that the legislature ought to hazard such essential alterations in the existing corn laws, on such slight grounds as those detailed in the Report; particularly as the Committee was composed of a description of persons, who, from their ordinary pursuits and habits, could not be supposed to have the most accurate knowledge of the subject. With respect to the assertion, that the proposed changes would benefit the agricultural interest, a little reflection would prove that this was not the fact. If the price of corn was greatly and permanently raised, it was evident, that, on the expiration of a farmer's lease, his landlord would expect a proportionate increase of rent; and, therefore, it was a mere mockery to make these alterations for the purpose of giving him an advantage for the few years to which his tenure might happen to extend. The principle recommended by the Committee would have the obvious effect of rendering the high price of corn permanent in those countries. It would extend to Scotland, and there was no place where a false step, in legislating on this subject, would be attended with more fatal consequences. The laws respecting corn, in that country, had become almost a dead letter, and the result was, that agriculture had greatly increased. From all these considerations, he felt himself called upon to oppose the motion; and he should therefore move, as an

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oatmeal, nor any other meal or flour, nor any corn ground, nor any malt, should be imported into any part of the United Kingdom, from parts beyond the seas, provided always that wheaten flour or meal may at all times be imported into Great Britain.

10. "That it is expedient, that the importation of wheaten flour or meal into that part of the United Kingdom called Great Britain, should be permitted, whatever the price thereof may be in any part of the said United Kingdom, subject only to a duty upon every hundred weight of such flour or meal equal to one third of the amount of duty payable on the quarter of wheat at the time of such importation.

11. "That the duty on the importation of Indian corn and maize, shall be regulated according to the prize of barley—and such Indian corn or maize shall be considered as barley imported from parts beyond the seas.

12. "That whenever it shall happen that the price of wheat on an average of 8 months preceding the 1st day of Sept. in any year, shall have exceeded the price at which foreign grain, imported into any part of the United Kingdom, shall be made liable to a duty not exceeding the sum of 5*s.* per quarter, then and in such case the distillation of spirits from corn or grain shall be prohibited in Great Britain, until the 1st day of Sept. then next following: and whenever it shall happen that the price of wheat on an average of the eight months preceding the 1st day of Sept. in any year, shall not have exceeded the price, at which foreign wheat, imported into any part of the United Kingdom, shall be made liable to a duty of 5*s.* per quarter; then and in such case the distillation of spirits from sugar shall be in like manner prohibited until the 1st day of Sept. then next following."

amendment, "That the Report be taken into consideration this day three months."

Mr. *Rose* said, the subject was one of very great importance to the country generally, and demanded the most serious consideration. In giving his vote, he could assure the House he acted from the most disinterested feelings; as, neither within nor without doors, had he entered into any discussion of the question, which might be supposed to bias his view of it. In three instances, which went radically to alter the corn laws, as at present constituted, he entirely disagreed from the principles advocated by the hon. baronet. The first was allowing a premium, without any limit, to the exportation of grain; thus overthrowing a principle, which he believed was originally acted on in the reign of Edward 1, nearly 500 years ago. Surely such a deviation as this ought not to be acceded to, without the most extended examination; and this was prevented by the very late period of the session at which the subject was brought forward. The second point to which he objected was, that, instead of a fixed price, stated by law, at which exportation and importation should be allowed to take place, it was proposed that a system should be introduced, which would occasion a constant fluctuation of price. For it was recommended, that, after the month of January, 1814, the prices should be calculated on the average of the preceding 20 years. The hon. baronet had remarked, as a reason for this, the great increase in the price of wheat in the last 21 years. That such an increase had taken place was undoubted; but a variety of causes had concurred to produce this effect. And, when the hon. baronet recollected, that two of these years were years of scarcity, and that a considerable depreciation had taken place in the value of money, it could not be denied that much of this increase must be attributed to these causes. In the third place, he differed entirely from the hon. baronet, in prohibiting the importation of flour and meal. Grain, being a weighty article, its exportation from our North American colonies did not always answer. The Canadians had, therefore, at a great expence, erected mills for the manufacture of flour; but, by the new system, these would be rendered useless, and instead of benefiting that country, a great and evident injury would be inflicted on it. The hon. baronet had stated, that, previous to the year 1765, this was an exporting country, but that, since that period, it had ceased to be so. This change, however, could not be fairly attributed to the corn laws, but must be considered in connection with a variety of novel circumstances which had since occurred. It was a mistake to suppose that the projected alteration would operate any decrease of the price of grain. It was clear, from all experience, if 95*s.* were the price at which grain must arrive, before it would be admitted to be imported, it would never fall lower. In 1805, grain was at 67*s.* per quarter; in 1810 at 69*s.*: but if the suggestion of the Committee were attended to, the price would never descend. It would have the effect of raising corn from its present rate to 95*s.* per quarter. He was anxious that a fair protection should be given to the grower; but, let that protection be plainly understood and perfectly discussed. When the price at which importation was admitted, with a very moderate duty, was raised to 66*s.* per quarter, it could not be forgotten that it never afterwards fell below that sum. And if it were now extended to 95*s.* no doubt could be entertained, that the same result would follow. As to the propriety of settling the price at 95*s.* it was a matter of argument. To prove this, the right hon. gentleman stated, that, in the county where he lived, certain surveyors had estimated the value of grain at 80*s.* He did not mean to say that this was a correct estimate, but it shewed that the price was a matter which admitted of much controversy. It was said that the proposed alteration would benefit the manufacturer. Now, if the manufacturer, in consequence of an increased price of corn, was obliged to give to his workmen an additional rate of wages, it would be necessary for him also to raise the price of his manufactures, and in time of peace this would operate against him. He was aware that this country did not grow corn sufficient for our consumption; but a variety of circumstances might be adduced, which tended to occasion this; the most prominent of which was our increase of population within the few last years. This deficiency would be also in a considerable degree lessened, by the inclosing and tilling of waste lands, a system which was now very prevalent throughout the country. In conclusion, the right hon. gentleman observed, that though he agreed in many of the propositions of the hon. baronet, yet at that late period of the session, he could not consent to proceed in so important a measure.

Lord *Desart* observed, that the noble lord who had recently addressed the House, seemed to have decided on the part he would take, in consequence of instructions from his constituents, followed up by conversations out of doors, rather than from any internal conviction of his own mind. A great part of his speech consisted of comments on the evidence given by gentlemen before the Committee, and by no means affected the general principle which the Committee had in view. It was said, indeed, that they had not contemplated any great general principle, but their only object was to serve the landed interest. This he denied; at the same time, it must be admitted, that if the suggestions of the Committee went to benefit the landholders, in a great and extensive sense, it would be a most desirable object for the country at large, and might be made the basis of the most beneficial effects. This was not merely an agricultural question. It was a great commercial subject, deeply interesting to the landed proprietors, to the farmer, and to every class and rank of society. He was in favour of going into the Committee, and thought the measures recommended to the House would be likely to take from the enemy an advantage he at present held over us, and furnish resources which, in the event of our losing our naval superiority, would be of the greatest importance to the country. He wished such measures to be taken as would secure the empire an independent supply, and could not but lament that the eight million given to France, our inveterate enemy, for corn, had not been given to the improvement of Ireland.

Mr. *Preston* was in favour of going into a committee, as the likely means of promoting the incease of agriculture, and enabling us to depend on our own resources for supply, instead of a precarious dependence upon the continent. He was convinced it was impossible for any gentleman to do more good than by employing his time, his talents, and his capital, in the cultivation of the soil. The way to enrich the farmer and to improve the condition of the labourer, was not by raising the prices of corn, but by extending the cultivation of the land. He thought the answers in the Report were in general to the purpose and intelligent, though perhaps not framed with all the accuracy of a special pleader. He had for the last 16 years laid out no inconsiderable capital, in the growth of corn, in preference to the cultivation of grass; and from the beneficial effects he had reaped, he only wished he could prevail on other gentlemen to follow his example, for the improvement of their fortunes and the good of their country. As to the high price of corn, which it was said would be the consequence of this measure, it should be remembered that it had been much higher. Formerly this country grew as much corn as was wanted for its consumption. What was the reason why it should not do the same now? The general answer was, that the population was so much increased, and that a great part of the land was turned into pasture; but to these reasons he would reply, that if the population was increased, the capital was also increased; and as to the land being turned into pasture, that would give so much more animal food, and of course reduce the consumption of corn. He should, therefore, vote for going into the committee.

Mr. *Brand* said, the question was how far the corn grown in the country was sufficient for the population, and if it was deficient, what were the best means to procure it from abroad? He was not inclined to agree with his hon. friend who brought forward the motion, and others who went with him, in the extent of price, but he thought it a fair opportunity to come to some decision on the subject, and should therefore vote for the committee.

Mr. Alderman *Atkins* said, he perfectly agreed with the hon. baronet who brought forward this subject in almost all his arguments and the results drawn from them, yet he thought that at the present late period of the session it would not be right to press the subject. He wished to have the opinions of persons in both countries conversant in the business, and therefore hoped the hon. baronet would agree to defer the committee till another session, when he should have all the assistance in his power to promote the ends he had in view.

Lord *Castlereagh* said, he thought the late period of the session by no means a sufficient reason for putting off the decision of the House to another session. They had already pledged themselves to come to a final decision on another most important measure, which would, of course, occupy their attention for a considerable time longer; and during that discussion, there would no doubt be many intervals in which they might turn their attention to the present subject, which was also very important. He should, therefore, recommend that the House should make as much progress in it as possible. As to any further information on the subject, he thought it unnecessary; and that it was only calling on parliament to restate its own principles. He thought that as we were circumstanced at present, nothing could protect us against the great inequalities of price; the great remedy for which was to give the agriculturist adequate protection, and that could only be done by the interposition of parliament. He was decidedly of opinion the scale ought to be advanced, and we ought not to be discouraged from going into the question, because we might now enter upon it without any fear of alarming the popular feelings.

Sir *J. Newport* agreed in thinking this the best time for taking the question into consideration. It had been said that the trade in grain should be left perfectly free. This would be very well if every thing else was free. Was agriculture a less essential manufacture than that of woollen cloth, or was it less deserving of the protection of the legislature? A noble lord (A. Hamilton) had said to what extent do the Irish gentlemen wish to extend their exportation of grain? The exports from Ireland were indeed great. Admit this. But who had benefited from this? Great Britain. He would say to the manufacturers of Great Britain what nation was their best customer? The imports of Ireland had kept pace with the exports, and 7-8ths of the exports were from Great Britain. The peasantry of Ireland had shared with the landholder in the advantages resulting from an increased tillage.

Mr. *Western* said, it was well known the price of corn was now very high, and that there were many thousands of people who could hardly purchase bread at all. By going into this committee, the House was going to tell them, by way of consolation, that they could never hope to have bread cheaper; for that henceforth, according to some arguments adduced this evening, it never could, nor ever ought, to be below a certain price. Whatever the opinion of the noble lord might be as to popular feelings, he differed with him on that point, and thought there never was a time in which this subject was likely to excite more popular clamour. He should therefore object to go into the committee, and his great objection was to the particular time.

Sir *W. Curtis* was against going into the committee, and thought the farmers ought to be satisfied with the high prices they at present received.

The *Chancellor of the Exchequer* said, he was confident the more this subject was examined and the oftener it was discussed, the less danger there would be of any popular disapprobation of it. If the people were really distressed, what could be more proper, more discreet, or more humane, than for the legislature to enquire into it? The hon. alderman had said it was unnecessary to enter into this enquiry till next session, because the farmer must be satisfied with the present prices; but this measure would ensure a greater steadiness of prices, which was highly desirable. The people had for several years past been suffering under a certain feverish apprehension of a scarcity, which had proved almost as great a punishment as the highest prices could possibly be. Whether the average proposed was too high or not, he would not say; that would be a fit consideration for the committee, which had his entire approbation.

Mr. *Horner* was astonished that the right hon. the Chancellor of the Exchequer, should lend his authority to a project like the present. It so happened at present that though we had corn laws in our statute-book, we had, in fact, no corn laws, and that there was the most perfect freedom in the trade of grain. Now, what was the state of the country with respect to agricultural improvement? The fact was that tillage had never increased so much, and that prices had never been before so regular. For this, if reference was necessary, he would refer to the Report itself. With respect to the supply of grain from foreign countries, the evil was admitted to be, not in the supply itself, but in the danger to which it was exposed of being cut off. Now, it so happened, that at a time when it was the policy of an enemy to prevent our supply, and when political circumstances were the most favourable for such a measure, the amount of foreign grain imported into this country had been greater than ever. This Report proved, that in spite of all the regulations of the enemy, whenever this country was in want of foreign grain, it could get it. There were several principles in the Report, with which he agreed. He had no hesitation in agreeing to exportation, and the abolition of a bounty. But the discussion of that night convinced him that these principles were merely thrown out by way of conciliation, and that the main object of the measure was to prevent importation from foreign countries, except when prices should rise to the enormous sums stated in the Report. At present, he contended, the price of corn was high beyond example, and was such as to afford a fair profit both to landlord and tenant. Supposing the measure of his hon. friend, the worthy baronet, to be adopted, then would the increase in the price of grain go on, depending not on the value but on the depreciation of the commodity. The poor lists of the different parishes in the country, he contended, were loaded with persons perfectly able to exist by their labour, were it not for the high artificial price of commodities. It was only by those artificial prices that the poor were prevented from living without being burdensome on the community.

Mr. *W. Fitzgerald* supported the motion, denying that the object of it was, or could be, to raise the prices of corn. He wished to see the country put above the necessity of foreign assistance in so important an article as that of grain. If, in accomplishing this object, the prices should increase, which he thought they would not do, then should they have the satisfaction of knowing that the high prices were given to their own subjects, and not to foreigners. He voted for the committee, therefore, not on the principles imputed to those who should be of that mind by the noble lord on the other side, but from a conviction that in going into such committee the House would best consult the interests of the United Kingdom.

Mr. *Lascelles* thought, that before the House proceeded to the consideration of the subject, it ought to be made more intelligible to the country at large, and he therefore wished that some explanatory resolution should be previously agreed to. It should also be satisfactorily made out, that the measure was not directed to the exclusive benefit of the agriculture of Ireland, or to that of England, but to the general advantage of the empire.

Mr. *Gooch* was of opinion, that this was not the time for the House to enter into the consideration of the measure, nor could he perceive the peculiar object intended by the motion. By entertaining it, much dissatisfaction, without the chance of any essential benefit, might be caused throughout the country.

Mr. *Pole Carew* denied that the object of the measure was to raise the prices of corn. It appeared to him, on the contrary, to tend to their stability, according to the best possible standard which could be furnished from the experience the House had both of the corn laws, of the corn trade, and the difficulties of obtaining foreign supplies of grain.

Sir *Henry Parnell* having replied to the several objections, the House divided.

For the Motion - - 136
Against it - - - 32
Majority - - —104

The House then resolved itself into the Committee.

MR. PALMER'S PER-CENTAGE BILL.] On the order of the day for going into a Committee on this Bill,

Mr. *Rose* expressed his objection to the measure, and quoted the evidence of Mr. Pitt and lord Camden to justify the objection. For from this evidence it appeared, that Mr. Palmer's claim to reward was to rest not merely upon the invention he suggested, for the improvement of communication by the post, but upon the performance of certain duties, as comptroller general to the Post-office. These duties, he maintained, Mr. Palmer had violated, and, to prove that violation, the right hon. gentleman read an extract from the letter of Mr. Palmer to his deputy Mr. Bonnor, in which Mr. Palmer, after stating to the latter, that the charges of a Mr. Wilson were quite scandalous, still urges him to procure payment of Wilson's account from lord Walsingham. The right hon. gentleman read another extract of a letter from Mr. Palmer, officially recommending a plan of delay in the delivery of letters in London. From these letters he argued that Mr. Palmer had violated his contract with Mr. Pitt, and forfeited his title to the remuneration which he now sought.

Colonel *Palmer* referred to the evidence taken before the former committee upon his father's claim, and also to the decisions of the House respecting it, to shew that nothing fraudulent or dishonourable had ever been attributed or attributable to the claimant. The letters quoted by the right hon. gentleman he did not mean to defend; but he contended that they betrayed no dishonourable purpose, as would appear upon the reading the whole of them. Mr. Palmer had, in fact, been much embarrassed in the execution of his plan, by the hostility of the postmasters-general, and particularly lord Walsingham. To prove this hostility, the hon. officer read marginal notes, made by the noble lord, upon the Report of the Commissioners who some years since investigated and reported in favour of Mr. Palmer's claim. As to the evidence alluded to by the right hon. gentleman, it seemed to him rather extraordinary that in the testimony of Mr. Long, that right hon. gentleman so very minutely detailed, in 1813, those points which he never noticed, or perhaps did not recollect, when delivering his evidence upon the same subject in 1807. One objection to this claim had been applied to its amount; but he appealed to the common candour of the House, whether that amount which arose out of the time the claim had been postponed, could be consistently urged against the justice of the claim itself. Had that claim been acceded to in due time, the amount would not, of course, have so accumulated. Five years had, he said, now elapsed since he entered that House, and at that period he declared that he had scarcely the honour of being acquainted with any member of it; yet when he brought this question under its consideration, a majority of nearly two to one decided in favour of Mr. Palmer's claim, although that claim was opposed by the eloquence of the late Chancellor of the Exchequer, and other distinguished persons. To what then could such a majority, under such circumstances, be attributed, but to the intrinsic justice of the claim itself? It had been, he understood, insinuated that the pressure of this claim was disrespectful to the memory of Mr. Pitt, but the disrespect to that memory was, he was persuaded, evinced rather by the opponents than by the advocates of the claim. For he would ask those advocates whether Mr. Pitt would have pursued the course which they had followed—whether he would have resisted the vote of that House—whether, after that House had ordered a trial by a jury in this case, Mr. Pitt would have directed the crown lawyers to defeat the vote by mere technical objections: whether after that House had addressed the crown to discharge Mr. Palmer's claim. Mr. Pitt would have advised the rejection of that address? an address of the same nature, as that which had produced the payment of Mr. Pitt's own debts. After illustrating the character of Mr. Palmer's claim, which bore a marked difference from perhaps any other claim upon the public, because it imported an application for a comparatively small reward for actual services rendered to the public, both in accommodation and revenue, the honourable officer apologized for having so long trespassed upon the time of the House.

Mr. *Holford* objected to the principle of the Bill as it went to call upon the House, with the misconduct of Mr. Palmer before it, to vote that he had performed his contract.

Mr. *Browne* said, he had ever considered, that in a case like the present, where great services were acknowledged to be rendered to the public, by the talent, the invention and the industry of an individual, it was ill suited to the liberality, nay ill suited to the justice of parliament, to look with scrutinizing eyes for loop-holes or technical objections whereby to evade the full measure of advantage, in the assurance of which the individual had been led to employ himself in the public service. This principle had governed his mind in all his former votes upon this subject: and the more he considered the case, both upon the former testimony and that which had been recently taken, the more he was satisfied that any attempt to connect Mr. Palmer's per-centage with official duties, or with any thing else but the success of the plan, was both illiberal and unjust. He knew it had been presumptuously insinuated that the opinion of the House, as before expressed, had been owing to the influence of personal feeling and kindness, but he could assure the House, that he had voted in favour of this claim before he had the honour of a personal acquaintance with the gallant officer whose feelings were so much interested on the present occasion, and the only effect of his present intimacy with his hon. friend had been to stimulate him to express that approbation, which otherwise he should have been content to express by his vote. The case was not to be considered on the construction of the appointment of Mr. Palmer, but it was considered on the circumstances of the case on which that appointment was founded, and it is most clear, that the basis of the contract was a per centage of 2½ per cent. on the increased revenue. For that per centage Mr. Palmer undertook to commence and to carry into effect his plan. As he proceeded upon it, and as it promised success, Mr. Pitt says himself that he thought that to connect Mr. Palmer with the office by official appointment, would still further benefit the revenue, and therefore gave him official situation both as a reward for his services and a stimulus to future exertion. He developed the plan—he put it in motion for the per centage. Whatever took place grew from this bottom—the public have been in possession of the plan, they have reaped the benefit of it, in the celerity, the security, and general character of the Post-office, the revenue has increased above a million per annum, and it is unfit to deny to Mr. Palmer his personal advantage from a plan from which so much public advantage has accrued. Mr. Freeling's testimony ascribes to Mr. Palmer the whole merit of the Post-office arrangement. Such a testimony from such a public officer, in whose praise one universal voice is raised in the country, will serve to console Mr. Palmer in the midst of all the anxieties and injustice he has been exposed to in the progress of this subject. He did not defend the letters of Mr. Palmer, but he believed they proceeded from no other wish but to disengage himself from the controul of the post-masters, and to put himself his own plan into useful effect. He thought the dismissal from office a sufficient mortification for the offence, without so flagrant a violation of justice, as the withholding from him the pecuniary benefits of his contract.

Mr. *Long* denied that any tittle of evidence could be produced to shew that Mr. Pitt intended to remunerate Mr. Palmer independently of his official duties. On the contrary the evidence of Mr. Pitt went directly to prove that the per centage was "given with a double view," to use his own words,—that of rewarding the invention, and as an incentive to Mr. Palmer to persevere in bringing his plan to perfection. There was a declaration also in one of Mr. Palmer's letters, which shewed that he himself considered the per centage as dependent upon official duty: "I could," says he, "expose the post-masters most damnably, but three or four thousand a year is not to be trifled with." How could these three or four thousand a-year run the risk of being lost if they arose solely as a reward for producing his plan? Mr. Palmer, however, knew that such was not the case; he knew that his per centage depended upon his performance of certain duties, and it was not till after the increase of the revenue in the Post-office rendered it a desirable and convenient object, that he began to consider his claim as a right. He (Mr. Long) had advised Mr. Pitt to give him 3,000*l.* a year; and Mr. Palmer had communicated with him repeatedly upon that allowance, but in all his communications he never mentioned his claim of right. He would tell the House why Mr. Pitt turned his reward into salary, and into per centage. It was that Mr. Palmer might have something certain, in case the revenue of the Post-office should keep below that sum at which Mr. Palmer's per centage was to commence.

Mr. Serjeant *Best* supported the motion, and related the manner in which Mr. Palmer's case had been prevented from coming before a jury, as alluded to by colonel Palmer. He thought the claim a just one, and that parliament would only consult its own honour and justice in complying with it. He contended that Mr. Palmer had taken the 3,000*l.* a year under the pressure of necessity. He was far, however, from meaning to defend or justify Mr. Palmer's conduct: but Mr. Palmer's demand had nothing to do with his conduct.

Mr. *Bankes* spoke against the Bill, but the House was so impatient for the question, that the hon. member was interrupted by incessant coughing. He concluded by observing, that, as a matter of liberality, parliament might grant a sum; but there certainly existed no right.

Mr. *Wortley* spoke against the motion, but said, that in a future stage of the Bill, he should move to insert a sum, less than what was now claimed, as a compensation to Mr. Palmer.

The House then divided—For the motion 76, Against it 28, Majority 48.

The Bill then went through a committee, and an amendment proposed by Mr. Bankes was negatived.

TREATY WITH SWEDEN.] Mr. *Ponsonby* rose, pursuant to the notice he had given, to move an Address to the Prince Regent, praying his Royal Highness to lay before the House any communications that had taken place between this country and Denmark. In the treaty lately concluded with Sweden, its object was set forth to be the defence of the independence of the North, and one of the stipulations it contained went to guarantee to Sweden a large portion of the kingdom of Denmark—the country of Norway. Ministers, it appeared, from an instrument, published by the French government, had proposed to Denmark the cession of Norway to

Sweden, and offered her in lieu of it, what was called in the instrument he had alluded to, part of the maritime departments, by which he (Mr. P.) understood Hamburgh, and some of the Hanseatic towns to be meant. He observed also from the accounts published by the French government, that an action had taken place at Hamburgh, in which the Danes took part against the French, and after which it was stated by the French general, that the dead bodies of many Danes were found. From this he thought it clear, that at that time the crown of Denmark was not disposed to fall into the views of France, and might have been induced to take part with England. What had passed between England and Denmark he knew not; but this he knew, that a minister had been sent from Denmark, not for war, but for peace; and it was now known that Denmark stood in a situation opposite to that in which she had lately been seen, and was at present actively engaged on the side of France. What he desired therefore was, that the noble lord would agree to the production of such papers as were necessary to explain the conduct of the government of this country towards Denmark. It was clear that ministers by the late treaty, not only allowed Sweden to take Norway, but bound themselves to co-operate with Sweden in the attempt. This could not but engender increased hostility on the part of Denmark. That such must be the consequence was so clear, that he thought it unnecessary to say any thing more on the subject. He concluded by moving, "That an humble Address be presented to his royal highness the Prince Regent, to entreat his Royal Highness to direct copies or extracts of all letters or papers which may have passed between his Majesty's principal secretary of state for foreign affairs, and any accredited minister from the crown of Denmark, in the course of the present year to be laid before the House."

Lord *Castlereagh* thought it was best not to debate the subject. He understood the right hon. gentleman to move for the papers in question, not for the purpose of considering whether the conduct of government had been right or wrong in the late negociations with Denmark, but in order to enable the House to judge of the propriety of the treaty lately concluded with Sweden. He apprehended the papers called for were not at all necessary in this point of view. Nothing that had recently taken place between this country and Denmark, could have prevented the treaty with Sweden, which was signed on the 3d of March. The propriety or impropriety of that treaty was to be decided on by those grounds of policy on which it was concluded, and not by what had subsequently occurred. The right hon. gentleman was certainly at liberty to arraign the policy of that treaty, but the papers he called for could not affect it. He therefore on the grounds, first, that the papers were unnecessary, and secondly, that part of the discussions which had taken place he had an objection to produce, must decline concurring with the motion.

Mr. *Ponsonby* observed, his motion was not confined to papers which had passed between the government of this country and that of Denmark since the 3d of March, but extended to all that had passed in the present year. He was not satisfied with the reasons given by the noble lord for not producing the papers. He could not conceive that Sweden, Denmark, or Russia, could be injured by such a disclosure, and he therefore called for them, as their production would be innocent, and was necessary for the discussion of the treaty concluded with Sweden.

Lord *Castlereagh* remarked, that the right hon. gentleman had said he could not conceive on what grounds the papers were withheld. He was sure the right hon. gentleman must feel that he (lord C.) could not explain himself on this subject, without making the disclosure he was anxious to avoid. He further observed, that had the late negociation broke off on no other point than that relating to Norway, on that he should have been ready to defend the conduct of government.

Mr. *Ponsonby* said, if the noble lord meant to argue that, it was sufficient.

Lord *Castlereagh* did not mean to argue it to the extent which the right hon. gentleman might suppose. Other considerations were connected with it.

Mr. *Horner* wished to know the date of the first communication with Denmark.

Lord *Castlereagh* stated the first formal communication to have been made on the 23d of February. Had the proposition then received been admissible instead of being, as it was, wholly inadmissible, ministers would have been placed in a situation very different from that in which they had stood.

The question was then put and negatived.

HOUSE OF COMMONS.

Wednesday, June 16.

PAPERS RELATING TO SWEDEN.] Lord *Castlereagh* presented the following Papers:

SUBSTANCE of the Engagements between the Courts of St. Petersburgh and Stockholm, signed at St. Petersburgh, the 24th of March, 1812, so far as the same are referred to in the Treaty between his Majesty and the King of Sweden, signed at Stockholm on the 3d of March, 1813.

The object of the emperor of Russia and the king of Sweden, in forming an alliance, is stated to be for the purpose of securing reciprocally their states and possessions against the common enemy.

The French government having, by the occupation of Swedish Pomerania, committed an act of hostility against the Swedish government, and by the movement of its armies having menaced the tranquillity of the empire of Russia, the contracting parties engage to make a diversion against France and her allies, with a combined force of 25 or 30,000 Swedes, and of 15 or 20,000 Russians, upon such point of the coast of Germany as may be judged most convenient for that purpose.

As the king of Sweden cannot make this diversion in favour of the common cause consistently with the security of his dominions, so long as he can regard the kingdom of Norway as an enemy, his majesty the emperor of Russia engages, either by negotiation or by military co-operation, to unite the kingdom of Norway to Sweden. He engages, moreover, to guarantee the peaceable possession of it to his Swedish majesty.

The two contracting parties engage to consider the acquisition of Norway by Sweden as a preliminary military operation to the diversion on the coast of Germany, and the emperor of Russia promises to place for this object, at the disposal and under the immediate orders of the Prince Royal of Sweden, the corps of Russian troops above stipulated.

The two contracting parties being unwilling, if it can be avoided, to make an enemy of the king of Denmark, will propose to that sovereign to accede to this alliance, and will offer to his Danish majesty to procure for him a complete indemnity for Norway, by a territory more contiguous to his German dominions, provided his Danish majesty will cede for ever his rights on the kingdom of Norway to the king of Sweden.

In case his Danish majesty shall refuse this offer, and shall have decided to remain in alliance with France, the two contracting parties engage to consider Denmark as their enemy.

As it has been expressly stipulated that the engagement of his Swedish majesty to operate with his troops in Germany in favour of the common cause, shall not take effect until after Norway shall have been acquired by Sweden, either by the cession of the king of Denmark, or in consequence of military operations, his majesty the king of Sweden engages to transport his army into Germany, according to a plan of campaign to be agreed upon, as soon as the above object shall have been attained.

His Britannic Majesty to be invited by both powers to accede to, and to guarantee the stipulations contained in the said treaty.

By a subsequent Convention, signed at Abo, the 30th of August 1812, the Russian auxiliary force was to be carried to 35,000 men.

An ACCOUNT of Bills of Exchange drawn on the Lords Commissioners of his Majesty's Treasury, and of Monies issued under their Lordships' Warrants, for the Service of the Swedish Government, in virtue of the Treaty of the 3d March, 1813.

BILLS drawn by Edward Thornton, esq. accepted by order of the Lords Commissioners of his Majesty's Treasury, and which were paid prior to and on the 16th June, 1813:—

Date of Bills.	*Date of Payment.*	*Sums.*		
1813.	1813.	£.	s.	d.
March 3	May 5	18,324	19	1
8	27	10,000	0	0
13	17	15,067	8	7
15	31	3,050	0	0
19	June 11	11,424	10	10
22	16	12,130	17	8
		£.69,997	16	2

BILLS drawn by Edward Thornton, esq. accepted by order of the Lords Commissioners of his Majesty's Treasury, and which become due subsequently to the 16th June, 1813:—

Date of Bills.	*Date when Due.*	*Sums.*		
1813.	1813.	£.	s.	d.
March 25	June 17	9,354	9	7
April 3	9	5,427	10	1
10	24	11,300	12	2
16	28	28,002	12	2
24	July 5	31,617	17	9
May 1	13	36,291	7	10¼
14	4	23,000	0	0
		£.144,924	9	7¼

Monies issued to Baron de Rehausen, by the Paymaster-General, under warrants of the Lords Commissioners of his Majesty's Treasury :—

Warrant dated 1st June, 1813...	£.75,000	0	0
————————	75,000	0	0
	£.150,000	0	0
Total...........	£.364,992	5	9¼

Memorandum of Swedish troops arrived at Stralsund :—

Foreign Office, June 16, 1813.

"It appears by the latest advices received from his Majesty's servants on the continent, that successive divisions of Swedish troops had arrived at Stralsund from their different points of embarkation in Sweden: the total strength of which (exclusive of a corps of Pomeranians) is stated to amount to about 28,000 men."

East India Company's Affairs.] The order of the day being read for the further consideration of the Resolutions, which, on the 5th instant, were reported from the Committee of the whole House, to whom it was referred to consider of the Affairs of the East India Company, the fourth Resolution was read and agreed to. Upon the fifth Resolution being read,

Mr. *Creevey* said, that after the disposal of the profits by the existing Act, which had never been attended to, the present Resolution could only arise from parliamentary infatuation. He should not oppose it, but when all the Resolutions came to be disposed of, he should endeavour in two or three concise Resolutions to express the real state of the Company's affairs.—This Resolution, together with the 6th, was agreed to.

The question being put on the seventh Resolution,

Mr. *Creevey* observed, that this Resolution, which obliged the Company to separate their political from their commercial accounts, would be of no avail, as the Company would, according to custom, refer every thing to political expence.

Lord *Castlereagh* said, that the Company would be checked by the Board of Controul.

The Resolution was agreed to.

The eighth Resolution, concerning India-built shipping, was negatived, lord Castlereagh having stated, that it was his intention to omit this subject in the Bill.

On reading the ninth Resolution,

Mr. *Creevey* objected to the Company making dividends, without having in fact any profits; whereas, in former times, they applied to parliament, when the funds out of which those dividends were payable were not sufficient, and this wholesome practice gave the House a paramount controul over their management. By their charter the dividends were to be paid out of the surplus of the territorial revenue in India, after discharging the necessary expences, but now they were in the practice of making dividends for themselves at any rate, and for which they provided by loans or any other way they thought most convenient. It was not to be endured, that after the experience the House had had, the Company should have another lease of 20 years, to go on precisely in the same manner. He thought it necessary, in consequence, to provide a clause by which they should be prevented from making dividends for themselves, unless they had really a surplus of territorial revenue, and obliging them, in case this should fail, to apply to parliament.

Mr. *Preston* thought the Company ought to have their funds at their own disposal, unless parliament should come forward to gurantee the payment of their dividends.

Lord *Castlereagh* denied that the Company's dividends were to be paid out of their territorial funds. The trade with China alone was sufficient to cover their dividends. Their dividends were paid out of the net produce of their sales at home.

Mr. *Creevey* thought the noble lord and he differed only in appearance, but not in point of fact. The dividends were from the net produce of the sales, but these sales were from investments made in India, on the faith of the territorial revenue.

Lord *Castlereagh* said, it was the intention of the Resolution to prevent the Company from applying their territorial revenue to purposes of commerce without the special consent of the Board of Controul, as there would, in that case, be an unfair competition against the private trader.

Sir *John Newport* wished to have some parliamentary check on the Company, with respect to their dividends, as the Company, he contended, had been known to borrow money from this country, and send it out to India, for the purpose of procuring investments, out of which the dividends have been paid here.

The Resolution was then agreed to, as were also the tenth and eleventh Resolutions.

Lord *Castlereagh* then moved the third

Resolution, which had been previously postponed.

Mr. *Baring* expressed his wish, rather to go on with the twelfth and thirteenth Resolutions; and to postpone the third till to-morrow, as a right hon. friend of his, (Mr. Tierney), who proposed making an amendment on this Resolution, was still confined, from the unfortunate accident he had met with, but would be able, in all probability, to attend in his place to-morrow.

Lord *Castlereagh* was anxious to afford every accommodation; but any postponement till to-morrow would be extremely inconvenient, as there were other matters of sufficient importance to occupy the whole of to-morrow night.

The third Resolution having been read,

Mr. *Baring* was aware of the inconvenience which would arise from delaying the progress of this important question, and could only have been induced to propose the postponement of the consideration of the third Resolution, in the apprehension that the time of the House might be occupied in discussing those which remained. As, however, it was thought expedient not to acquiesce in his suggestion, he should take the liberty of proposing an amendment, which was consistent with that his right hon. friend (Mr. Tierney) had in contemplation. The object of the present Resolution was to throw open the trade to India altogether. This was a measure of so much importance, that he thought it ought not to be adopted with too much precipitation. He thought it much better that the proposed alteration in the trade as it at present existed, should be effected gradually, and to this end he conceived the best course to pursue, in the first instance, would be, at the same time that vessels were allowed to sail from every port of the empire to India, that in their return they should be confined to the port of London only. He meant not by this arrangement to confine the trade ultimately to the port of London, but he did think that such a mode of proceeding would tend to dissipate many of those alarms which were now felt in the contemplation of the intended changes. As it respected the merchants, this arrangement would be found most advantageous; and, in the end, he was inclined to think that all parties would find themselves in a more beneficial situation. By this plan, also, the gentlemen of the out-ports would have an opportunity of trying that experiment without any possibility of danger to themselves, and the government would have the advantage of witnessing the effect of the experiment without endangering their revenue. He was aware that the port of London could have no particular claim to preference, except so far as it was best calculated to answer the purposes of the merchants in general. Establishments had been formed in the port of London, however, with the view of affording facilities to a trade of such magnitude, which did not exist in other ports, and he thought it but fair that those persons who had embarked in these establishments should have every encouragement which circumstances would allow, and not be hurled at once into ruin. By taking this sort of middle course, that asperity of disappointment, which, under other circumstances, might arise, would be avoided, and the measure would be regarded in a less obnoxious light. If the House agreed to the amendment which he should propose, it would be easy to suggest other regulations which its adoption would naturally require. The House might not be inclined to agree in the view which he took of the case, but, in all events, he entreated them, in making the experiment they had in view, to be cautious, and weigh well the possible results as well to private individuals as to the nation at large. The hon. gentleman concluded by moving an amendment, the object of which was to confine the return of vessels from India to the port of London. If this amendment was agreed to, he should propose such a limited period for the continuance of the arrangement, as the House might be disposed to agree to. He would, for the present, propose five years.

Mr. *Grenfell* supported the amendment, on the ground that such a limitation would operate to the better security of the revenue, and would offer a more convenient market for foreigners.

Sir *John Newport* opposed the general principle of the third Resolution, and said, that the amendment of the hon. gentleman only went to confine the delusion to a shorter period than that which the Resolution itself proposed. If it really was the interest of the merchants to make their return to the port of London, they had it in their power so to do under the present clause: it was unnecessary, therefore, to come to any specific regulation for that purpose. In his opinion, the out-ports had already ceded too much, and had got much less than they had a right to expect; he must object, therefore, to any proposition which tended, in the slightest degree, to lessen those privileges which the noble lord was inclined to grant them. The object of the hon. gentleman who moved the amendment, seemed to be, to bring under the eye and controul of the East India Company those persons who were their competitors in trade. This was the very thing which he deprecated. What he was anxious for was, that the trade should be perfectly free and unshackled. To attain this, he had already used his most strenuous exertions, and having failed, it now only remained for him to take care that no new shackles were imposed, or no new measure adopted, the effect of which would be, to render the arrangements of the noble lord more oppressive than they at present really were. He should, therefore, give his decided negative to the amendment of his hon. friend.

Mr. *Finlay* advocated the claims of the out-ports, and contended that they only asked to participate in the same advantages which were already enjoyed by the Americans. He denied that the opening of the trade to India was a matter of experiment, on the contrary, he was satisfied that the House would agree with him in believing, that from the evidence which had been submitted, the certainty of success was clear and manifest. As to danger, none was to be apprehended. Those gentlemen who had been examined at the bar, had distinctly stated, that no apprehensions were to be entertained that any considerable number of persons would attempt to settle in India, and if they did, the regulations which were there in existence would be quite adequate to prevent the recurrence of any ill consequences from such an event. With respect to the proposition of the hon. gentleman who moved the amendment, he thought it one of the most extraordinary he had ever heard. It was neither more nor less than saying to the out-ports, " we will grant you a free trade to India, but will deprive you, by bringing you to the port of London, of the advantages which you would be likely to derive from such a privilege." He denied that it was the interest of the merchants of the out-ports to bring their goods to the port of London. He would ask, could it be the interest of the manufacturers of Lancashire to have their cottons brought to London instead of to Liverpool? Would it not be far more for their benefit to have the raw material of their manufactures brought to that port which was most convenient to the place of its consumption? For his own part, he was distinctly of opinion that the out-ports should be perfectly free to take their cargoes to whatever place, in their own opinion, might be most conducive to their interests. With regard to the alarm which was felt respecting the collection of the revenue, he denied that any just ground existed for such an alarm, and contended that the smuggling in the out-ports was nothing when compared with the port of London. If this argument was once admitted it might as well be said that the vessels from the West Indies and other places should be excluded from the out-ports.

Mr. *Protheroe* said, the merchants of the out-ports were infinitely obliged to the hon. gentleman who had moved the amendment for the care which he seemed to take of their interests. They could hardly help regarding his professed friendship for them, however, with some degree of distrust, when they recollected that he had come down that night, as the professed representative of a right hon. gentleman (Mr. Tierney), who was the acknowledged advocate of the East India Company—

"Timeo Danaos et dona ferentes."

The general policy of the measure prepared for the consideration of the House was so evident, that it required little argument to support it. Nothing could be more satisfactory to him than to find that the general merits of this measure had been acceded to by the House upon no other evidence than that which had been presented by the India Company itself. The out-ports had an immense body of evidence which they could have brought forward, but this he was extremely happy to find was wholly unnecessary. In conclusion, the hon. gentleman said he perfectly agreed in what had fallen from the hon. member who spoke last.

Mr. *Robert Thornton* observed, that there had been already so much said on the subject, that he should have felt it unnecessary to make any further remarks, but that he was influenced by a sense of duty to enter his protest against the measures that were in contemplation, which he considered most dangerous and detrimental to the country. The cause of the success of the Americans in the trade to India consisted in their neutral character, and he deeply regretted that they had ever been admitted to a participation of that trade; but unless they could transform the out-ports into neutrals, they could not give them the advantages possessed by the Americans. There was great delusion upon this subject—delusion which was almost become proverbial: but yet it was so eagerly sought by the out-ports, that he might apply to them the line in the old song—

"Little Water Wagtail, come and be killed."

The gentlemen of the out-ports were ready to be killed—they embraced the delusion, and would suffer destructive consequences. If no beneficial effect could be proved to be likely to arise, the proposed change should not take place. They should not, with a sweeping hand, turn adrift those numerous classes of persons who had been ingrafted on the present system for a period of 200 years. It was true, that in one sense their lease was out, but he had always heard, that when the tenant had been an improving and eligible one, a sensible landlord seldom refused a renewal of it, unless when a much greater benefit could be expected by not doing so, which was not the case in the present instance. A great statesman, now no more, had once exclaimed, "Perish commerce—live the constitution!" he would adopt his words, and apply them to the proposed commerce of the out-ports—he would say, Perish that commerce—live the constitution! Live the country! Live all that was valuable, either in this country or in India! It was for the good of the whole empire that every commodity should be brought from India to the port of London. The Company were often taunted with having given up the export trade, by some gentlemen, while others charged them with not being disposed to give up any thing. Now, he thought it rather hard to be taunted in both ways, and the fact was, that they had never given up the export trade, there had been only something said of it in conversation. The present measure, he contended, was the consequence of disappointment in every other trade, for which the Company were now to suffer. In this spirit of blind speculation skates and warming-pans had been sent to a climate where ice was a phenomenon totally unknown. Scrambling and clamour would surely attend the opening of the trade, which, he thought, should be more wisely confined to Billingsgate than extended to the out-ports. With respect to the taunting language about conceding and conciliating, he said, the Company had conceded nothing, though they were willing to adopt any fair and liberal measure of arrangement.

Mr. *Finlay* said, in explanation, that he did not desire the outports to be made neutral, but placed on the same footing as neutrals in India.

Mr. *Rose* said, that he saw some difficulties in deciding upon the present question, but from a fair and impartial consideration of all the circumstances, he thought it, on the whole, most desirable, that the East India Company should acquiesce in the regulations which had been submitted to the legislature. On one point he entertained no doubt, that of giving the import trade to the out-ports, when they gave them the export trade. The inconveniences which would result from changing place, from delays which would arise by the necessity of having two warehouses, instead of the merchant bringing his cargo at once to his own door, and the loss of time in waiting for the sales of the Company, three, four, or five months, would be productive of great loss and injury to the merchant at the out-port, who might thus lose the opportunity of re-shipping his goods for another market. Such a proposition appeared to him to be the merest mockery. Much had been said also of the danger which would be incurred in the department of the revenue, by suffering the out-ports to import direct from India, but this apprehended danger, he did not hesitate to say, appeared to him most visionary. The Company had laid much more stress on the evidence of Mr. Vivian, the solicitor of the excise, than on that of the commissioners of customs and excise. For his part, he knew Mr. Vivian, and entertained the highest respect for his character and ability, but he was the last person whom he would consent to take as authority upon the subject, nor had he ever read any thing more misconceived than his evidence. He had said so to Mr. Vivian himself, for he would assert nothing there that he had not mentioned in his presence. For his own part, he believed there was more danger of smuggling in the port of London, than all the rest of the kingdom. The facilities for illicit practice from the channel up to London on each side were innumerable, nor with all the assiduity that could be exerted, was it found possible to prevent it. The right hon. gentleman then commented on the evidence of Mr. Vivian, and adduced several arguments and facts to disprove the statements which had been made relative to this part of the subject, and concluded by again expressing his firm conviction, that all the fears of smuggling were visionary, and that the manifests would be sufficient to protect the revenue from this evil.

Mr. *Grant,* senior, observed, that the first expectation which had been entertained of the great advantages to be gained from opening the trade appeared now, in a great degree, to have subsided, while the measures which had first been contended for were contended for still as strongly as ever. Whatever opinion might be entertained of the merits or demerits of the Company during the period they had enjoyed the exclusive trade to India, the vast importance of the subject in all its branches should be well weighed, more particularly as there was another great interest depending on the result of their decision, whose happiness or misery would in so great a degree be affected by it. The chief arguments which had been advanced by the opponents of the Company were founded in theory and presumption, while the evidence of facts was invariably against them. The consequences which were likely to follow could not be remedied by any after regulation. The hon. gentleman then advanced a variety of arguments on the danger of smuggling, and defended the conduct of the Company from the charges brought against them. It would be extremely proper to make some experiment on a less extended scale, by the success of which they would be able to legislate a measure of larger compass, should the nation in future deem such a measure proper. He cordially supported the motion of the hon. gentleman.

Mr. *Thompson* was disposed to give full credit to the directors for sincerity, and for believing the assertions which they made on the subject of the Indian trade; but he could not consent to give up his judgment to them, or believe that the merchants of the out-ports were not equally capable of judging with the East-India Company, how far a free trade to India could be carried on to advantage. The people of the North country could build ships fit to sail round the world as well as the East India Company. The two ships in which captain Cook sailed round the world were built at Whitby. Captain Cook himself was a Yorkshireman, and chose those ships in preference to any other, and he believed they lasted uncommonly well. The fact was, that the East-India Company fitted out ships 20, 30, and even 40 per cent. dearer than ordinary merchants did. He was informed by one of the Company's ship-builders whom he would not name, that the Company paid for their shipping 40*l.* per ton. He asked that gentleman at what rate he could fit out a merchantman for Calcutta, in his own way, and he said he thought he could do for 25*l.* that for which the Company were paying 40*l.* This was carrying on trade at an extraordinary rate indeed! The India Company's ships were fitted up very expensively; but it was by no means necessary to fit out vessels so expensively for the purpose of carrying out goods to India. The captains in the North were quite astonished when told of the expence of the Company's ships. The hon. gentleman ridiculed the pretensions of the India Company to continue the monopoly, because they had been suffered to monopolize so long. Indeed, these pretensions called to his memory a Petition which was presented in the 15th century from Bridport, praying the king and council not to allow hawsers and cables to be manufactured in any other part of England, because the inhabitants of that place had derived considerable benefit from having long exclusively enjoyed the manufacture of these articles. He also recollected a petition from Worcester, that no village in the neighbourhood should be allowed to manufacture woollen cloth, but that the manufacture should be confined to the inhabitants of that city, because they had long derived great advantage from it. But many other instances, of equally absurd pretension, might be quoted; none, however, he must confess, at all on a par, or approaching to par with the pretensions set forth upon this subject by the merchants upon the banks of the Thames. In fact, their monopoly was so excessive, that government could not send a thief to Botany Bay, without a licence from the India Company, and it occurred to him, that a friend of his at Hull having once hired a ship to government, for taking out transports, brought home some wood, which, of course, he was obliged to commit to the warehouses of the India Company. For this article his friend paid 350*l.*; and it was actually sold by the Company for 50*l.* Such was the fate of a private trader under the discretion of this famous Company, in praise of which so many writers had been lately in such activity, as to deluge the country with their productions. Among these writers he had lately seen the name of Macpherson, who was, he understood, pretty remarkable for book-making, and this gentleman, in a work entitled "The History of the India Company," asserted,—what would the House conjecture?—why, that the commercial and political administration of that Company was as near perfection as possible. Who paid for the writing of this book he did not know, though certain reviewers had hinted pretty strongly at the matter. In opposition to all these writings, there were but few on the other side. One of these few, however, very recently published, had just come under his view, and among other extracts of letters from Calcutta it was stated that the Indian government, aware no doubt of the object of the pending discussion, had imposed a duty of 8 per cent. upon all cotton exported by private merchants, while the India Company were to pay no duty whatever. Such was the liberality of the Company towards private traders, and he hoped the right hon. the Chancellor of the Exchequer and the noble lord (Castlereagh) would take care to provide against similar exactions in future: for if the agents of the Company should be at liberty to exercise such partiality, the opening of the India trade to private merchants would be quite a mockery, as no merchants could calculate upon success against the rivalry of the India Company, if opposed by such a system. As to what the House had heard upon the subject of smuggling, which it was alleged must go to a great extent if the trade were extended to the out-ports, and so fully opened to private traders, it was a fact generally reported, that there was more smuggling from the ships of the India Company than from all the shipping of England besides. The report was, indeed, justified by the extreme precautions generally taken to prevent such smuggling, revenue cutters being uniformly sent to watch the ships of the India Company as soon as they were understood to come within reach of land. Now, with respect to the danger said to be apprehended from the introduction of strangers into India, he thought the apprehension quite chimerical, while he could not help considering it as most extraordinary, that the manufacturers of Manchester and Birmingham should be excluded from trying whether they could, by penetrating into the country, induce the Indian people to buy some of those wares which all other people in the world to whom access could be found, were enticed to deal in. He would ask upon what principle our manufacturers should be denied the opportunity of making this experiment, especially as it was stated in evidence that for the last twenty years the people of India had not bought a single new article of British produce? This, he was persuaded, could not be the case, if the people of those extensive territories were accessible to the enterprise of British manufacturers. But he trusted that opportunity for such access would in future be fully granted, and not left to the discretion of the agents of the India Company. The hon. gentleman quoted the authority of lord Wellesley in support of the opinion that the trade of India should be so fully open as to enable British merchants to bring home the whole produce of India, which the India Company were notoriously unable to do, and which in consequence was in a great measure exported by foreigners, who could, as well as our own private merchants, carry on the India trade with more advantage than the Company, because they incurred less expence in freight or shipping, required a less crew, and could accomplish the voyage within a much shorter period, the American ships having often performed the voyage to and from India in four or five months. From these considerations, and persuaded that the opening of the trade would operate to increase the shipping, the seamen, and the revenue of England, he declared his intention to support the original Resolution.

Sir *William Curtis* spoke in favour of the East India Company, which from its original establishment had contributed most materially to benefit the country—a Company whose shipping and various resources had often been most successfully employed for the service of the empire—a Company which had, by introducing the article of tea, actually contributed no less than four millions to our annual revenue. With such claims, he thought the claims of the East India Company entitled to the peculiar attention of the British parliament. He was astonished to hear the hon. gentleman who had last sat down adduce the failure of an alderman, in a speculation to Botany Bay, as an argument against the East India Company. That alderman, whoever he might be, seemed to know very little of the business of a merchant, although the part of the country to which he presumed him to belong was allowed to produce men of very acute knowledge. With respect to the shipping employed by the East India Company, he would appeal to any man of sense, whether they could be built for 25*l.* per ton? Could any private ship, built at such an expence, be capable of contending against an enemy of the description opposed to the ships of the Company? or could such private ships be fit for the service of the country, in the event of a war breaking out, under such circumstances as the Company's shipping had to contend with?

Mr. *Abercromby Robinson* replied to the statements of Mr. Thomson with respect to the sale of private property in the Company's warehouses. The regulation of duties which had been alluded to, had not proceeded from the Court of Directors, but was merely local, and he was clearly of opinion that no alteration should take place in that respect without the sanction of the authorities at home. He should vote for the Amendment, though he was of opinion it did not go far enough.

Mr. *Thomas Courtenay* said, he had listened to the speech of the hon. director who spoke last with much pleasure, because its tendency was to bring the House back to the real question before it. The hon. chairman of the Company had spoken early in the evening; but true it was, he had said something about Smithfield, and something about Billingsgate, as if to put them in mind that the question really related to the city of London; yet, nearer to the question he had not gone. He, however, could not withhold his surprize from the conduct of those who opposed the system that was wished to be established, for they would thereby support an untried, unmitigated, and outrageous system of monopoly—he would say further, that the supporters of the Amendment could not be considered the friends even of the present system. The transfer of British capital to India he could not consider, with an honourable director, as a danger; it was not considered as such by lord Wellesley. He thought the people of India had a right to as great an extension of the private trade as was possible to accomplish; and if ultimately the increase of the trade of India should become such as to supersede that of this country—why, it would be a dispensation of Providence to which we ought to submit. He thought the House ought to negative the Resolution before them, or to exclude the Amendment.

Mr. *Marryatt* argued in favour of opening the trade. He treated the danger which was apprehended from the influx of strangers into India as chimerical; and contended, that the Company themselves appeared to have abandoned that ground of opposition, because it was futile to suppose, that more danger was to be apprehended from persons proceeding from the out-ports and returning there, than from those who proceeded from the out-ports, and afterwards entered the port of London. With respect to the increased facility of smuggling he observed, that the large vessels of the Company afforded greater opportunities for the concealment of goods, than the comparatively small ships which would be employed by the private merchant could present. And he was convinced, that many years would elapse, before the private trade would give rise to so much smuggling, as was at present carried on in the ships of the East India Company,

Mr. *Forbes* complained of the restrictions laid upon the private trade, and should the sovereignty be continued to the Company, he feared any explanation that might be made would be of little avail. He wished the Company had confined themselves to the China trade, and left that of India open to the private traders. The Company should be bound to give every facility to private trade, and no alteration on the subject of the existing duties should take place without the sanction of the government at home. But the Company wished to establish an exclusive trade in India, and these lords of Asia were in the practice of opening shops for breeches, pantaloons, stockings, and similar articles, as stated in private letters, of which the hon. gentleman read a variety of extracts. In the year 1793 the number of Europeans in India had amounted to 15,000, now they were 30,000, and piece goods had become in great request among the natives. The investments ordered from India this year, by the Company, amounted to four millions sterling—double the value of what had ever been ordered before.

Mr. *Astell* lamented, that notwithstanding the various services which the empire had derived from the patriotic exertions of the Company, a disposition was manifested on all sides of the House to destroy a system that had produced so much good. He contended, that, however the gentlemen who opposed the Company might exclaim against monopoly, the proposition which they supported recognized that principle, since the trade was to be thrown open to only a few favoured ports.

Mr. *Canning* observed, that when he considered the most wide and complicated nature of the subject they were then discussing, he was not surprized that many gentlemen who had spoken upon it were tempted to wander into more discussive disquisition, embracing all the topics connected with it. But, while he thought that some advantage resulted from allowing to hon. gentlemen the liberty of such diffusion, he could not but think it would be more advantageous if they were to confine their debate to the specific subject under discussion; and that more especially on a night, when, by their vote, they were about to express their opinion upon the merits or demerits of the great cause to be tried before them. The single question was, not whether the Indian empire was to be shaken by the influx of adventurers—not whether the ruin of the out-ports was to take place from the eagerness of injudicious speculation—but whether all ships going to India (for wisely or unwisely, it had been determined that ships should go out from certain out-ports), were to be confined, on their return, to the port of London. He, for one, was most willing to admit that the motion of the hon. member (Mr. Baring), had been brought forward, according to his own declaration, from pure benevolence, from pure kindness, from pure mercy to the out-ports. It did not originate in any desire to uphold the interests of the East India Company; it was not to preserve to that body its exclusive monopoly; it was not to exclude the rest of the country from participating in the benefits of the Eastern trade! No—it was to step between the rashness of adventurers and their ruin; it was to implore the interposition of parliament in behalf of heedless men who did not foresee their own danger; it was to prevent that House from inflicting on those whose petitions loaded their table, the intolerable grievance of granting the prayer of their petitions; it was to snatch the out-ports from that awful gulf of ruin into which they were precipitating themselves; and oh! unexampled patriotism! to permit the East India Company, in the generous enthusiasm of their feelings, to plunge into it themselves! The out-ports, like so many Curtii, were preparing to leap into the abyss which they had dug, as it were, by their own petitions; but the East India Company rushed between them and perdition, and were willing to sacrifice themselves for the good of their country: for himself, however, he must own that he did not precisely see the necessity of this self-devotion on the part of the Directors. He really thought the gentlemen of the out-ports were tolerably shrewd and discerning, and not in that state of infantine innocence, and in that simplicity of ignorance, which rendered them objects of the humane interposition of parliament. He was rather inclined to think they might safely be left to take care of themselves. The question, however, narrowed to its true limits, presented itself in a state that the House need not long deliberate what to do. It had been complained by the Directors that the proposition, as it stood, would infallibly subvert their empire in India, throw its commerce into confusion, and create distress from one end of the kingdom to the other; and they fancied they had found a panacea for those evils in recalling to the port of London all the ships allowed to go from this country. But what relation, what proportion was there between the evil and the remedy? If it were true, that sending forth adventurers from hence would destroy all our interests in India, that the allegiance of our subjects there would be impaired, that discord would be sown, and ruin become inevitable, by what possible magic, he would ask, could the simple calling back of the ships to the port of London, not cure, but relieve those evils? How was it to happen, that he who, when in India, would exhibit in his conduct the worst features, that he who would foment dissention among the natives, who would embroil our affairs, and who would weaken our authority, was to be transformed, not only into an innocent, but into an highly meritorious and useful being, by the mere circumstance, that the ship in which he had sailed from Liverpool would, on its return, enter the port of London? What relation, then, was there between the circumstances?—There was this relation, and he wished the hon. gentleman had openly and candidly stated it as his plan: it would render the whole system useless—it would destroy the fabric which parliament was rearing with so much care and assiduity; for the out-ports, thwarted, crippled, and confined by such a regulation, would abandon the trade, and then the East India Company would again possess its monopoly undisturbed. That was the object of the amendment. Five years of disappointment and difficulty would damp the spirit of enterprize, and make the out-ports reject the boon with which parliament would but mock them if that amendment passed. The hon. member had disclaimed any view to the interests of London in proposing his amendment; and he (Mr. Canning) had no doubt that disclaimure had produced on the minds of many gentlemen the same impression that it had produced upon his. In the innocence of his own apprehension, he regarded it as a very generous renunciation; and yet he could not help puzzling himself to comprehend how the interests of the port of London did not interfere with those of the out-ports. In fact, it would be the same whether limited to any one, it would impose an intolerable fetter upon trade. It had been said that it was monopoly against monopoly; that Bristol, Liverpool, and Hull, were contending for monopoly, and London was contending for monopoly. He denied that, however: Bristol, Liverpool, and Hull, were contending generally for the nation; and it was parliament, which in its wisdom, thought proper to impose limits. They asked for no limit, the prayer of their petitions was for a free trade; they did not prescribe any restrictions: it was parliament who prescribed limitation, and it was parliament who indicated the boundaries of that limitation, though it was to be remembered that parliament as yet had indicated nothing: and it surely was not the fault of Bristol, Liverpool, and Hull, that they were in a state of greater preparation and forwardness for the reception of the East India trade, according to the regulations contemplated by government, than any other of the out-ports. He denied, however, absolutely, that the port with which he was more immediately connected (and he doubted not the gentlemen connected with the other ports could do the same) entertained any idea of exclusive privilege, or any desire of monopoly. If the amendment were adopted, its direct operation would be to pronounce trade to be synonimous with the prosperity of London only. The out-ports would be doomed to wait like hand-maids upon the metropolis, and to receive, if he might use the expression, her cast off clothes as the gift of her bounty. But, if they could impose such restrictions (and he did not mean to doubt the possibility), would it be wise to do so? Would it be prudent to impoverish the extremities of the empire, that the head might be swollen to a morbid bulk? It was not right that London should be allowed to prosper at the expence of the other ports of the kingdom.—He then alluded to the continuance of an arbitrary power in the resident governors of India, to lay whatever new duties they might please. The letter read by his hon. friend had been called anonymous. But it was not so, as it had the sanction and the names of some of the most respectable merchants in India. A letter had been put into his hands that night, which was not anonymous, as it was written by the secretary of the government of Bombay, in May, 1810, to a most respectable mercantile house, informing them that the government had prohibited any exports of pepper for England until further orders. This proved the abuse and the existence of the arbitrary power which had been already noticed. The parliament might grant freedom of trade, but whilst this power was allowed to continue, it would defeat that freedom. Was this a state that such a trade ought to be in? No such orders ought ever to be given without authority from home. A necessary controul at home was requisite over these local authorities, and if this was duly arranged, he believed, notwithstanding all the opposition and disparagement given, that the interests of the Company, and those of the country, would not be found incompatible.

Lord *Castlereagh* admitted that such a regulation might happen from the local duties, but it was intended in this Bill to provide against such occurrences as this by a proper regulation of the duties abroad. It was intended that the Company should pay the same duties as the private trader in every case where they came in competition.

The House then divided: For the Amendment, 43; Against it 131; Majority 88.

Mr. *Baring* then proposed another Amendment respecting the nomination of the outports to be admitted to the free trade; but he was reminded by the Speaker that he was out of order, as the House had decided by negativing his former amendment, that the words as they now stood should stand part of the Resolution. It would therefore be necessary that the hon. member put his amendment in some other shape.

Sir *J. Newport* said, he should propose an amendment not liable to this objection, which he thought would meet the views of the hon. gentleman. His amendment was, that such outports should be added, from time to time, as might be determined on by parliament. To vest the nomination in government was giving ministers too much power. He therefore moved, that it be added at the end of the first paragraph, "and provided also that the names of such outports shall be appointed by parliament."

Lord *Castlereagh* thought this rather an extraordinary sort of an amendment, as the paragraph, as it now stood, directed that the names of such outports be laid before parliament. Something ought to be left to the executive. It would be enough to make it necessary to take the sense of the House upon the names proposed.

Mr. *Baring* contended, that it would be better to have the outports fixed by law, which would relieve ministers from the teasing applications that they might otherwise be liable to. He contended, that the whole subject remained still open to regulation.

Mr. *Bathurst* observed, that the measure opened the ports generally; but there might be local regulations necessary, from a consideration of the revenue, and therefore this, in the first instance, ought to be left in the hands of the executive, as the natural guardians of the revenue. He was for the clause, therefore, as it now stood.

Mr. *A. Robinson* thought the power might be exercised by ministers for improper objects, such as electioneering purposes.

Mr. *F. Robinson* contended, that the same argument might be applied to parliament, as the ministers, according to the paragraph now, could not select any outport without the consent and approbation of parliament.

Lord *Milton* thought the hon. gentleman who spoke last must have misunderstood the Resolution, as it intrusted the power of nomination to government. The exercise of this power might be, no doubt, subject to the review of parliament, but a specific motion and considerable enquiry would be previously necessary.

The Amendment was negatived without a division.

Lord *Castlereagh* proposed an amendment, providing that with respect to places not immediately within the Company's charter an application should be made only for licences to the Board of Controul, who might, on their part, consult the directors, if they thought necessary.

Mr. *Creevey* objected to the private trade having any licence from the Company.

Sir John Newport and Mr. Horner opposed the amendment, not seeing it necessary that there should be any licence at all with respect to places not within the Company's charter. Mr. C. Grant, sen. and sir Mark Wood, spoke in favour of the amendment.

Mr. *Canning* said, he should have liked it better had there been no licences at all; but if that could not be obtained, he saw no great objection to this arrangement, as they might be considered more properly as certificates than licences.

After a conversation between the Chancellor of the Exchequer, Mr. Findlay, Mr. Abercromby, sir J. Newport, lord Castlereagh, and Mr. Baring, the amendment of lord Castlereagh was agreed to: For the amendment 122; Against it 19; Majority 103.

Mr. *Baring* proposed an amendment, taking from the Board of Controul the power of obliging the Company to grant licences to persons going to India, which was negatived without a division.

A motion of adjournment having been proposed by lord Milton, it was negatived, and the third Resolution, as amended, agreed to.

The 12th Resolution was agreed to after a long conversation. On the 13th a desultory discussion took place; a question of adjournment was proposed and withdrawn, but at last it was consented to adjourn the debate on this Resolution to Tuesday, it being understood that a Bill should be in the mean time brought in on the other Resolutions, and that they be sent to the Lords. The 14th Resolution was agreed to, and leave given to bring in a Bill or Bills in pursuance of the Resolutions. The Resolutions were ordered to be sent to the Lords, and a conference to be desired with their lordships thereon.

HOUSE OF LORDS.

Thursday, June 17.

East India Company's Affairs.] A Message from the Commons, by Mr. Robinson and other members, desired a conference on the subject of the East India Company's Affairs. The conference being agreed to, and Mr. Quarme, the deputy usher of the Black Rod, having soon afterwards notified that the Commons were waiting the conference in the Painted Chamber, the managers appointed by the lords, namely, the earl of Buckinghamshire, the earl of Radnor, the earl of Liverpool, the earl of Clancarty, the bishop of Chester, lord Walsingham, and lord Dynevor, went forth. On their return, the earl of Buckinghamshire reported, that the Commons had communicated certain Resolutions, on the East India Company's Affairs, to which they desired their lordships' concurrence. On the motion of the earl of Buckinghamshire, the Resolutions were ordered to be printed, and his lordship gave notice of his intention to move on Monday, for the House to go into a committee on that day, to take them into consideration.

HOUSE OF COMMONS.

Thursday, June 17.

Palace Court—Mr. Crutchley's Petition.] Mr. *Brand* rose to move that Mr. Crutchley's Petition, presented some time ago, complaining of certain abuses in this court, be referred to the consideration of a select committee. The petitioner's complaint was twofold: 1. That the fees of the Marshalsea court had been illegally raised by the judge, which as its jurisdiction in various causes extended over about a million of people, might prove a very serious abuse: and 2dly, that when the petitioner, as prothonotary of the court, remonstrated against the abuse, he was suspended from his office. The hon. member professed himself ignorant of the truth of the allegations in the Petition, but thought them deserving of investigation. With that view he moved for the appointment of a committee.

Mr. *Wharton* observed, that he thought the charges in the Petition were not at present a fit matter for the consideration of the House. If any of the litigants in the Marshalsea court thought themselves aggrieved by the exaction of illegal fees, they had their remedy in the courts below. But he particularly objected to the present motion, because serious charges were pending at present against the petitioner himself. The hon. member entered into a detail of their nature, the substance of which was that the Treasury had made an agreement with the petitioner, as clerk of the Marshalsea court, that if the fees did not amount to 500*l.* per annum, the difference should be made good to him by the Treasury. The petitioner had for some time represented that the fees did not amount to that sum, and had accordingly received the difference from the Treasury. On his suspension from office, however, it was discovered that this was a misrepresentation, and the solicitor to the Treasury had been ordered to institute proceedings against him for the recovery of the money so fraudulently obtained. The proceedings were not yet commenced, but they would be, and in the mean time it would be wrong to bring this, with other matters, before a committee of the House. The hon. member said, it was at one time in contemplation to prosecute this individual for perjury in his conduct in this business, but the law officers of the crown, on being consulted, gave it as their opinion, that from some informality, it could not be maintained.

Mr. *Brand* consented to withdraw his motion for the present.

Windsor Forest.] Mr. *Whitbread* said, that very serious alarm had been excited in the vicinity of Windsor, by the report that it was intended to cut down all the fine trees in the forest and park. This report was strengthened by the fact that all the timber has been marked as if for felling, and it was understood that the money so obtained was to be applied to the building of a new and magnificent palace in Windsor park. He wished to be informed, whether there was any foundation for these unpleasant rumours?

Mr. *Wharton* answered, that such reports had also reached his ears, but that he believed the trees had only been marked with a view to ascertain their value, and to prevent depredations for fire-wood, which had been carried on to a shocking extent. It was under contemplation to take the wood land into the park, but there was not the most distant intention of cutting down any of the ornamental wood.

Mr. *Whitbread* begged a reply to what he had said regarding a new palace.

Mr. *Wharton* added, that he had heard nothing about building a new palace, but that one of the lodges was to be repaired.

PEACE.] Mr. *Whitbread* observed, that a motion to be made by him on the subject of Peace and the foreign relations of Great Britain, stood for Tuesday se'nnight. Since he gave that notice, the most important intelligence had been received of the conclusion of an Armistice, to continue in force until the 20th of July. Presuming that it was impossible that such a step could have been taken by the allies, without the concurrence of sir C. Stewart and lord Cathcart, and not wishing to throw any impediment in the way of the great and good work which he hoped would soon be consummated, he should for the present waive the motion of which he had given notice.

IRISH DISTILLERIES.] Sir *G. Hill*, after a few prefatory remarks upon the importance of the measure, moved the second reading of the Bill for more effectually preventing illicit distillation in Ireland.

Mr. *Wellesley Pole*, in a most emphatic and strenuous manner, resisted the further progress of this Bill, the principle of which was to compel all the inhabitants of the town-lands or parish to pay a proportion of any fines levied upon that district for an illegal still, for a part or appendage of an illegal still, or for any liquor the produce of an illegal still. He insisted that such a law was most unjust and unnecessary, and ought not to be tolerated by any people under the face of heaven. This Bill, which had previously existed for 20 years, was repealed by him when he came into office, for the judges told him that juries would not find verdicts under it, and that the very fountain of justice was polluted without the accomplishment of a single object. One of them had declared (and all seconded the opinion,) that such a measure might, if successful, be endured in Turkey, but if not successful it could not be endured even there. The law officers of the crown were unanimous for its repeal, although it greatly diminished their fees. The bad effects upon the morals of the people were incalculable; it led to all kinds of vice, perjury, fraud, collusion, theft, and to every species of wickedness, crime, enormity, iniquity, and abomination. The effects upon the country were equally fatal, since whole parishes had been frequently depopulated, because the natives were unable to pay the enormous fines levied upon them. When he came into office, however, he remedied all these miseries—for what did he do? He repealed the Bill. Could he do better. No. He sent for all the judges, and all the law officers—he ordered them to attend him, and he told them he would repeal it, at which information they were overjoyed. Had the present Chancellor of the Exchequer for Ireland consulted any of the law authorities? No. Was it not his duty to do so? Yes. Why had he not done so? Because their opinions would be against the revival of this Bill. He asserted and reasserted many times, and vouched for the truth of the fact, upon his responsibility, that all the judges, all the law officers, and all the people of Ireland would be against the Bill now attempted to be carried through the House. He knew what would be the consequences of such an attempt, and he warned the House of them. His experience was not to be deceived after the numerous enquiries that, at his suggestion, and under his controul and management, had been made into this subject. The right hon. gentleman then very energetically proceeded to shew how fallacious was the Report of the last committee, which he did not condescend to attend, but the echo, which the loudness of his vociferation occasioned sometimes, drowned the conclusion.

Mr. Hawthorn and Mr. Chichester supported the Bill.

Sir *John Newport* spoke warmly in favour of the Bill. He said that 14 out of 32 counties derived their consumption of spirits from illicit distillation. The right hon. gentleman had declared with that warmth which distinguished his speeches on this subject, and indeed on almost every other, that the law making the districts liable, was without a parallel. But the law which made the vicinage answerable for offences committed in it, was as old as Alfred. Much had been said of the opinion of the judges: but without wishing to derogate from their authority, he must say that his respect for them was confined to their proper province, that of executing the law of the land; nor could he allow them an additional voice in the legislature, much less could he think it decent or warrantable in them to declare any law sanctioned by the legislature to be monstrous and intolerable. Their opinion, however, of this law, did not appear till 1810, when they were questioned for this purpose by the right hon. gentleman, though it had existed ever since 1793. Reprobated as it was by him, it had the sanction of the representatives of those very counties where the illicit distillation was carried on. He owned, he thought it monstrous and intolerable, that one part of the community should pay threefold to make up for the delinquencies of the other. Into one of these districts an excise officer had been forced to go in disguise, and the magistrates had refused to carry the act into execution. This was a state of things which could not and ought not to continue. The right hon. member then described the relaxation of the law as equally destructive to the morals and the revenue of the country, and maintained, that the present measure was the only adequate remedy for the evil complained of.

Mr. *Peel* concurred entirely in what had fallen from the right hon. baronet. It was to him almost a sufficient argument for its necessity, to find that it was supported by almost the whole of the representatives of Ireland. It had been stated that all the judges disapproved of it. Now, although he did not allow that there was any necessity to consult the judges upon the policy of the laws, yet he would state, that he had received a letter from the chief justice of Ireland, dated on the 4th of June last, which declared an opinion decidedly favourable to the Bill. He had also received a letter from Mr. Gregory, one of the commissioners of the revenue, who stated that if the Bill had been in force but six months longer, illicit distillation would have been put down in Ireland. He would much rather it should be put down by the assistance of the judges of the land, than by the generals commanding districts. He then stated the number of soldiers which were now conceived necessary in Ireland to act against those illicit distillers. He conceived that it was injurious to the discipline and feelings becoming the army. It was also committing the soldiers in a hostile manner against the people, which was a thing that ought as much as possible to be avoided. The people should learn to consider the soldiers as the protectors of the country, and ought not to be taught to view them in the light of enemies.

Mr. *Hawthorn* was convinced, that the measure now proposed to be revived, was the more beneficial of the two. Under the present system only 1,000 stills had been discovered within the year, in the county which he represented, and, in one year, under the system proposed to be revived, 2,700 private stills had been discovered.

Sir Henry Montgomery and lord Desart supported the measure. Major O'Hara was against the Bill.

Mr. *W. Fitzgerald* was happy to say, in answer to the challenge held out to him by the right hon. gentleman (W. Pole), not only from oral information, while on the spot, but also from information by letters, which he had since received, that it was the unanimous opinion of all those connected with the revenue of Ireland, that nothing but the measure now proposed could put an end to the evils thereby sought to be guarded against.

The Bill was then read a second time.

Printing of Money Bills.] Lord *Milton* rose, pursuant to notice, to move that the printing of the Money Bills be in future made a standing order of the House. Neither the members of the House, nor the country, as those Bills now passed, had, or could have, any information concerning them. If an inclosure or a road Bill were required to be printed, it was surely fully as important that the country should be informed as to the duties to be imposed on articles of consumption. His lordship had received information as to an extraordinary clause which had been introduced, and allowed to pass, in a Bill carried into a law in the present session, by which it was provided, that it should be in the power of his Majesty, with the advice of his council, while parliament should not be sitting, to suspend the payment of any of the duties specified in that Act, for a time to be specified. Was there any man, he asked, who knew of such a clause being in this Bill? He contended it went to the very subversion of the constitution, it being impossible that the existence of such a clause in the Bill could be known, it not being printed. This clause alone, his lordship contended, afforded a ground for the present motion. He could not help also adverting to the late period of the session when such Bills were brought in. If it was fit that the public should know in what articles they were to be taxed, then ought the present motion to be granted; if it was not fit that they should be so informed, then ought the motion to be negatived. He concluded by moving, That all Bills granting supplies to the crown shall be printed; and that copies of the same should be ready for delivery to the members of the House, previous to the second reading of the Bills.

The *Chancellor of the Exchequer* said, that tax Bills were generally a repetition of former Acts, and if the noble lord's motion were to be acceded to, it would be necessary every year to print the Land and Malt Tax Bills, and several others, full of long muster rolls of names, which had never been printed since the Revolution. According to the noble lord's motion, the Bills ought to be printed before going into a committee, and consequently before the blanks were filled up. The clause in question had been the subject of discussion in a committee of the House; and there was a similar clause in the Act 48 Geo. 3, cap. 24.

Sir *J. Newport* said such a clause could only be justified in case of emergency.

Mr. *Barham* said, that such clauses could only give rise to injurious speculations.

Mr. *Huskisson* opposed the motion.

Lord *Milton* said he would take a future opportunity of drawing up his motion in a way better calculated to attain the object of it, and would, therefore, withdraw it for the present.

ECCLESIASTICAL COURTS' BILL.] Sir *W. Scott* brought up the report of the Bill for the better regulation of Ecclesiastical courts. On his motion that it be taken into consideration,

Mr. *Western* said, it appeared to him, that the Bill did not accomplish the object which it was understood the right hon. and learned gentleman had in view. The measure, it was well known, originated in the motion made by a noble lord (Folkestone) last year, who then brought forward a number of grievances, to which the subjects of this country were liable from the proceedings of ecclesiastical courts. The right hon. and learned gentleman then undertook to bring in a Bill for relieving the subjects of those grievances stated so forcibly by the noble lord. His attention was drawn to this subject from a case, the circumstances of which were peculiarly fitted to shew the House the arbitrary nature of the proceedings of these courts, and how inconsistent they were with the principles of the common law of England. There was no man in this country who could be exempt from the arbitrary authority of these arbitrary courts. The case was defamatory; the circumstances of it were brief. The assignee of a bankrupt, who was one of his principal creditors, found it necessary to examine into the affairs of the bankrupt, and, in the course of the examination, he found large sums of money posted up, to be paid to a person whose initials only were entered in the ledger. The sums were so large as to amount to about 2-3ds of the bankrupt's whole effects. It was found that the initials represented a lady with whom the bankrupt had been connected; and at a meeting when the bankrupt and a friend of his were present, a resolution was come to, that this lady was not a proper creditor, and a denomination was applied to her by one of the assignees, which subjected individuals to a prosecution in ecclesiastical courts. An action was brought before the commissary court of Surrey, which ended in the defendant being acquitted, and the prosecutor being subjected to costs. But on the same evidence the defendant was again prosecuted before the court of Arches, and on the same evidence the bankrupt and his friend found guilty. He was condemned to do penance; that is, to go into church—into the sanctuary of his God, and there declare himself guilty of an offence of which he knew he was not guilty, and of which he had been declared innocent by another court. Such a power ought not to be vested in any court. The matter did not rest here. Next came a dispensation from performance by purchase, for which he had to pay 95*l.* He was confident that in almost all cases these actions of defamation were brought from malicious motives alone. The Bill provided no remedy against a recurrence of similar cases of oppression to what had been stated. It did not take away the consequences of a sentence of excommunication. No court ought to have a power to enforce such a penance as that he had been describing. The ecclesiastical court ought to have the power which other courts possessed of enforcing their sentences, but these sentences should be more accordant with the spirit of the constitution.

Sir *W. Scott* said, it was hard on the ecclesiastical courts to be condemned on *ex parte* evidence. If parties did not appear and suffered judgment to go against them, the courts of justice were not answerable. With respect to defamation, all the penance consisted in going into the vestry, and in presence of the minister and a few friends, express sorrow for the offence. Would the hon. gentleman wish, then, his wife, his mother, or his sister, should be insulted with impunity by every blackguard who chose to load them with opprobrious epithets. With respect to the case before the dean of Arches, was it necessary, even supposing the thing to be true, that opprobrious terms should be applied to any individual, and that in the course of civil transactions, persons should be aspersed, as happened in the case in question? No man could wish such offences to pass with impunity.

Sir *J. Nicholl* said, in the case alluded to, a lady had been called a common whore and a strumpet at more than one meeting, and she was proved by witnesses to be of good character.

Sir *S. Romilly* thought very considerable improvement necessary, or rather loudly called for, in the present state of the ecclesiastical law. The law was, in fact, such that the judge, however correct his intentions, must pronounce an exceptionable decision; for if any man should venture to describe a woman as she deserved, and as it might become necessary too (for instance in a case of bankruptcy, where the prodigality of an improper woman might be the cause of that bankruptcy) the person so describing her would be liable to the visitation of the ecclesiastical law for defamation, and it would avail nothing to the accused to prove, or be able to prove, the justice of the accusation. In fact, the justification of the judge in these cases consisted in the condemnation of the law; but the inquiry in such cases ought, in his opinion, to be sent to a jury, as was the practice in certain cases in the court of Chancery; or rather he should think it a great improvement to take away altogether the jurisdiction of spiritual courts in cases of defamation. Indeed, the expence attending the progress of such cases in these courts was such as to justify this proposition. The hon. and learned gentleman concluded with declaring his intention to move, upon bringing up the Report, that certain qualifications should be granted to judges in the Consistory court, with regard to the power of referring facts to the investigation of a jury, and also that the time for bringing actions in the ecclesiastical courts should be limited.

Mr. *W. Smith* dwelt upon the case of a woman who had been confined eleven years at Nottingham, because she refused to admit that she was not a married woman, which case he had, on a former occasion, mentioned in that House. But the radical fault of the ecclesiastical law was, that the accused must submit to indefinite punishment, or confess guilt, whether the statement to which the accusation applied were true or false. Thus a court, professedly religious, was professedly indifferent to truth, and often demanded the declaration of a falsehood, as the only means of escaping from punishment.

Mr. *Stephen* vindicated the conduct of the ecclesiastical courts, but confessed that, in his judgment, in all charges of defamation it should be allowed to produce evidence as to the truth of such charges, although he was not prepared to grant impunity to the use of certain terms of abuse against women, whether deserved or not.

The House then resolved itself into a committee, when

Sir *S. Romilly* proposed two new clauses, one enacting that no person should be apppointed a judge of any consistorial court, who had not practised as an advocate in the court of Arches, or who, if a barrister, had not practised three years in the courts of Westminster-hall; and the other, that after passing the said Bill no action for tythes should be brought, nor any suit instituted in any civil court unless brought within six years after such tythes should have become due.—Both clauses were agreed to, the Report brought up, and the Bill ordered to be read a third time to-morrow.

REPORT ON THE ACTS RESPECTING COPYRIGHT.] Mr. Davies Giddy presented the following

REPORT.

The COMMITTEE appointed to examine several Acts passed in the 8th year of Queen Anne, and in the 15th and 41st years of his present Majesty, for the encouragement of Learning, by vesting the Copies of printed Books in the Authors or Purchasers of such Copies, and for other purposes therein mentioned; and to report, whether any and what Alterations are requisite to be made therein, together with their Observations thereon, to the House;—

"Have, pursuant to the order of the House, proceeded to consider the said Acts; and have received various statements, and examined several persons connected with the printing, the publishing, or with the sale of books; and after much attention bestowed on the subject, they beg leave to observe,—

"That although great changes have taken place in the literary systems of this country, since the first of the laws referred to them was enacted, on which the others depend; yet they conceive that the substance of those laws is proper to be retained; and in particular that, continuing the delivery of all new works, and in certain cases of subsequent editions, to the libraries now entitled to receive them, will tend to the advancement of learning, and to the diffusion of knowledge, without imposing any considerable burden on the authors, printers, or publishers of such works. But that it will be expedient to modify some of the existing provisions,—As to the quality of the paper, which may fairly be reduced from the finest sort and largest size, to that used in the greater part of an edition;—by substituting a delivery on demand, after due and proper notice has been given of the publication, to a distribution in the first instance:—and by affording an alternative with respect to subsequent editions in certain cases.

"Your Committee would however suggest one exception to these rules, in favor of the British Museum; this national establishment, augmenting every day in utility and importance, ought, in the opinion of your Committee, to be furnished with every publication that issues from the press, in its most splendid form.

"Having presumed to advise certain regulations with the view of lightening as much as possible the pressure, whatever may be its amount, on all those connected with the publication of books, your Committee would be wanting in the discharge of their duty, were they not to recommend a strict enforcement of such obligations, as for useful purposes remains to be discharged: by annexing suitable penalties to the neglect of performing them; and perhaps in some cases by adding the forfeiture of copyright.

"The attention of your Committee has naturally been directed to the late decision in the court of King's-bench, ascertaining the true interpretation of the statute of queen Anne; and they find, that, previously to that decision, an universal misapprehension existed as to the real state of the law; and that works were undertaken, and contracts made on the faith of long established usage. Your Committee are fully aware, that in expounding the law, no attention can be paid by courts of justice to the hardships that may incidentally be produced; but it will deserve the serious deliberation of parliament, whether all retrospective effect should not be taken away from a construction, which might be thought to bear hardly on those who have acted on a different understanding of the law.

"Lastly; your Committee have taken into their consideration, the subject of Copy Right; which extends at present to fourteen years certain, and then to a second period of equal duration, provided the author happens to survive the first. They are inclined to think, that no adequate reason can be given for this contingent reversion, and that a fixed term should be assigned beyond the existing period of fourteen years."

Ordered to lie on the table.

HOUSE OF LORDS.

Friday, June 18.

East India Company's Affairs.] The Earl of *Buckinghamshire* stated that the Resolutions received from the Commons being now on the table, it was his intention to move on Monday for the House to go into a committee upon them on that day.

The Earl of *Lauderdale* deprecated proceeding upon this most important question, without the requisite information being before the House. He had moved for papers several days ago, the production of which was essential to the right consideration of the question, because their object was to show how far it was practicable for the East India Company to go on by means of the remittances from India without applying to parliament for aid. He trusted, therefore, a delay of a few days would be allowed.

The Earl of *Buckinghamshire* admitted that the papers moved for by the noble earl were of importance, but it was essential that no time should be lost in going into the consideration of this question. He had heard nothing of any intention on the part of the Company to apply to parliament for aid.

Earl *Grey* urged the impropriety of going into the discussion of this question at so late a period of the session, without the requisite information before them, and without the possibility of giving it that due consideration which its great importance demanded. Was this the manner in which a question of such vast importance, involving the commercial interests of the country, the welfare of our possessions in India, and the happiness of sixty millions of subjects attached to the British empire, ought to be treated? Were his noble friend, instead of asking the delay of a few days, to desire the postponement of the question altogether till next session, such a motion should have his decided support, conceiving that it could not at this period of the year meet with adequate deliberation or due consideration.

The Earl of *Liverpool* maintained that the interests of the country, and the welfare of our possessions in India, demanded that there should be as little delay as possible in coming to a decision upon this question. Had it been altogether a new question, there might have been some ground for urging delay, but the fact was, that it had already, for a considerable period, been under the consideration of the House. The Resolutions (not now altered in any material point) had been communicated to the House, they had undergone much discussion, and a committee had sat for a considerable period, examining evidence upon the subject. There was, therefore, he contended, no reason that the question should be any longer delayed.

Lord *Grenville* was unwilling to prolong a conversation that might interrupt the important business fixed for that evening; but it having been thus announced by ministers, that it was their design to press through both Houses a Bill for establishing a system of commerce and government for India, he could not help noticing that intention. He had of late years seen and lamented many gross violations of public decency in the conduct of ministers towards parliament: but if parliament were prepared, in compliance with the wish of ministers, thus to hurry through a measure of such vast importance, they would fix an eternal stigma upon their character in the eyes of all nations. Was there one man in the House who could honestly say, that a Bill so important as this, brought in in July, could receive that attention which was due to it? Not one of his Majesty's ministers had hitherto condescended to explain his views of the question in all its bearings. Was it to be endured, that in the month of July a Bill was, for the first time, to enter their lordships' House, which fixed a system of government for sixty millions of people? If this were tolerated, then it must be said that no other function remained to their lordships' House, but that of tamely registering the measures of government. What he mainly complained of was, that the authors of this measure unnecessarily procrastinated its discussion. He would not, however, make himself a party to that mockery of public duty which it was now proposed to exhibit. He had deeply studied the question in all its bearings, convinced that it was one intimately connected with the interests of this country, and in which the happiness of a greater portion of his fellow-creatures was concerned, than in any to which he could direct his attention. Had he seen a disposition in ministers to discuss it gravely and deliberately, he should have lent all the attention and assistance which he could supply, without any view whatever to considerations of domestic party or politics; but he knew well at this period of the session there could be no adequate investigation; and he would not lend himself to the hypocritical and base pretence of discussion when none could take place.

The Earl of *Buckinghamshire* professed his astonishment at the language of the noble lord. He had insinuated, that the examination which the subject had undergone was hypocritical and base. Those of the noble lords who had attended to it in the committee, were incapable of such conduct, and deserved no such epithet. But why did the noble lord, who was so ready to charge others, neglect his own duty by not attending that Committee? The noble lord might think as highly of himself as he pleased; but those of their lordships who had attended to this question, were as incapable as himself of the base dereliction of duty which he had described. In the year 1793, when the charter was renewed, the noble lord had the management of it in that House: there was very little difference as to the season at which it was introduced, and there was then neither a committee appointed, nor a resolution proposed: and now, after 20 years' experience since that period, and the information accumulated this session, it was too much for the noble lord to talk of the disgrace which would be entailed on parliament by proceeding further this session. Much as he respected the noble lord, he respected the authority of the House still more, and if he should have the good fortune to obtain the sanction of their approbation, he should not much repine at any different sentiments which the noble lord might entertain.

The Earl of *Lauderdale* was anxious to

know whether it was really the intention of ministers to press this subject on Monday, before the papers which he had moved for were laid upon the table?

The House being about to proceed to other business,

Lord *Grenville* asked, whether it was to be endured that the King's ministers should refuse an answer to such a question?

The Earl of *Lauderdale* said, if it was intended, under the circumstances he had stated, to press the discussion on Monday, he should certainly move its postponement. He now moved, that the papers moved for should be presented forthwith.

The Earl of *Buckinghamshire* urged the importance of proceeding without delay to the discussion of the question. As to the papers, he had every reason to believe they would be laid on the table on Monday, but they could, at all events, make some progress in the Resolutions.

The Earl of *Lauderdale* said, the papers he had moved for were connected with the very first Resolution, because they referred to the point, whether the East India Company could go on without applying to parliament for aid, and if the returns should be such as he suspected, he should be prepared to argue against granting a monopoly of the China trade, and the rights in India to the Company for 20 years, upon the ground that the Company could not exist without coming to parliament every year for aid, but without these papers he could not make up his mind upon the subject.

The Papers were ordered to be presented forthwith.

American War.] Earl *Grey* asked, whether any official intelligence had been received relative to the recent misfortune sustained by our arms in Upper Canada?

Earl *Bathurst* said he had received no official intelligence relative to this event, nor had he any other information upon the subject than from the documents before the public, published by the American government.

Earl *Grey* adverted to what he had said upon a former occasion respecting the neglect of ministers, in not providing adequately for the exigencies of the American war, and particularly in not taking care to ensure a superiority of naval force upon the lakes. What had now happened proved the truth of what he had then stated, as it appeared, that owing to the neglect of ministers the Americans had a superior naval force upon the lakes. It was his intention, therefore, to move for the instructions given to sir James Yeo on his leaving this country to proceed to the lakes to establish a naval force there.

Earl *Bathurst* said he had no reason to believe that the Americans had a superior naval force upon the lakes. With respect to sir James Yeo, sir George Prevost had stated an additional number of sailors to be requisite to man the naval establishment upon the lakes, and sir James Yeo and the seamen were immediately sent. They arrived at the mouth of the river St. Lawrence, before the ice would allow of a passage, and proceeded up the river on the 25th of April, as soon as it was open.

Earl *Grey* contended, that what the noble earl had stated, decidedly proved the neglect of ministers. It was thus delaying until they heard from sir George Prevost, to send a force to the lakes, where they must have previously known that a naval superiority on our part was absolutely necessary, that formed his charge against them. It was a poor return for the loyalty and zeal evinced by the inhabitants of Canada, to subject them to invasion merely from the want of that naval superiority which the foresight of ministers ought to have provided. The noble earl had denied that the Americans had a naval superiority upon the lakes; but according to the accounts which he (earl Grey) had received, they had destroyed a great part of our vessels at York, and were proceeding to Kingston to destroy the remainder.

Earl *Bathurst* denied that there was any reason to believe that the Americans had a naval superiority upon the lakes. It appeared by the official dispatch of their own commander, that he had been unable to destroy any vessels except one, because they had been previously removed from York.

The Marquis of *Buckingham* trusted that the attention of the House would be called to this subject, and that information would be required of the measures adopted by ministers for the defence of Canada.

The Earl of *Darnley* said, that ministers ought to have foreseen the necessity of having a maritime force on the lakes as well as on the ocean. It was his design to have called the attention of parliament to the general mal-administration of our naval affairs in the course of the present session, and to have moved for certain documents on which he might have grounded some specific proposition; the late period, however, which the session had reached before he had an opportunity of accomplishing his purpose, induced him for the present to abandon it; but he hoped to bring the subject forward early in the next session, unless indeed his noble friend who was so much more competent to the task, should take it out of his hands, if affairs should remain in the same unfortunate situation as at present.

TREATY WITH SWEDEN.] Earl *Grey* observed, that the substance of the engagement between Russia and Sweden, which had been laid upon the table, was not that document which the House had a right to look for. The treaty between Russia and Sweden having been communicated to this government, he saw no reason why the terms of the articles to which our treaty with Sweden referred, should not have been laid before the House, nor could he consent that foreign governments should be taught that parliament would not call for engagements to which the British government acceded, it being so well known that the forms and practice of our constitution required treaties in which subsidiary engagements were entered into to be ratified by the sanction of parliament. He did not mean to insinuate that ministers would intentionally mislead the House, but persons might differ in opinion upon the meaning of terms which were actually before them, and the same idea might not be conveyed in what was called the substance of the engagement which would arise from the actual terms of the articles. He would not, however, insist, in this instance, upon moving for the terms of the engagement, as ministers, by producing its substance, had rendered their treaty utterly indefensible. They could not possibly have made their case worse, and therefore he would take it upon their own shewing. With respect to the correspondence between this country and Denmark, he felt it of great importance to the due consideration of this treaty, that it should be produced.

Supposing that the cause of war between Great Britain and Denmark were originally just, if the latter should make a proposal for peace, it formed a new æra, and if the proposal were rejected, it was incumbent upon ministers to shew that what this country had a right to demand had not been offered by her antagonist. It was the practice of most nations, but more particularly of this, when a negociation for a cessation of war had been broken off, that the causes of the rupture should be publicly and distinctly stated. In Great Britain, indeed, the documents, together with the official declaration, were invariably communicated to parliament; that in the eyes of Europe and of the world, her conduct might appear justifiable. How much more necessary was it then in the present instance, where hostilities were not only continued after an offer of peace, but a treaty had been entered into with another power for the spoliation of the dominions of Denmark. It was doubly necessary, that it should now be proved that Denmark had refused that justice which Great Britain had a right to demand. Ministers must state their reasons for rejecting the propositions made to them, because it was not sufficient to assert that the treaty with Sweden was signed before any offer had been made by Denmark. The motion with which he should conclude, would require all documents that had passed between the two governments within the last year, for the sake of having every part of the transaction under the view of the House. The fact was, that the treaty was not signed till the 3d of March, and the ports of Denmark had been closed against the privateers of France, and every facility was given to our commerce as early as the 10th or 12th February. Soon afterwards an official agent arrived from Copenhagen, and he was succeeded by count Bernstorf, the accredited minister. Thus it appeared, that long before the treaty was concluded Denmark had not only proposed pacific arrangements, but had done certain incontrovertible overt acts to prove incontestibly her friendly disposition towards this country. Let the fact be as it might, the House had a right to have it completely ascertained, before it gave its sanction to any treaty, the object of which was to invade the territories of a power which had so recently shewn a disposition to restore tranquillity, and to join the allies against the common enemy. His lordship was at a loss to anticipate any substantial objection to his motion, because, in his opinion, acquiescence in it could produce no injury, and might be of most material benefit. It could not injure Denmark with respect to France, because, if our cause were just, she was our enemy: if indeed she made a fair and honest offer of co-operation, what became of the justice of the cause of Great Britain in continuing to wage war against her? She had proved that she was sincere in her proposals, by shedding her blood against France, and by occupying Hamburgh with her troops.

But it was possible that this treaty between Great Britain and Sweden, a treaty of robbery and spoliation, was to be compensated to Denmark by the cession of other territories in lieu of those she lost. In that case, would the exposition now required be detrimental? The fact was, that if there was any reason for concealment, it was, because disclosure would show that a robbery was to have been committed on one power, which was to be compensated for by a further robbery of others. The countries which were to have suffered the projected spoliation had perhaps been designated. Perhaps the Hanse Towns were to have been the prey? Was the independence which they had so gloriously attempted to establish, to be sacrificed to the secret article of a treaty, and were they to be made the miserable dependents of a miserable dependent? [Here a negative was given in a low tone of voice, by some peer on the ministerial side of the House.] He was glad to hear that was not the case; he was glad to hear that people who had taken up arms with so much spirit and vigour to rescue their country from a foe, were not to find that they had purchased with their blood only the privilege of being sacrificed by treacherous friends. If the Hanse Towns were not to be the compensation, of what was it to consist? All the countries in the vicinity of the Danish dominions might be under no unreasonable apprehensions that they were to be the victims, but the production of the documents now required would allay the apprehensions of many, though it would place beyond a doubt the fate of the devoted country that was to form the equivalent. Was Denmark to receive Bremen, or a portion of the territories between the Elbe and the Weser? Was she to have transferred to her a portion of the late dominions of the King? Was she to obtain a part of the duchy of Mecklenburg? His lordship insisted that ministers were bound to explain this mystery. It was the duty of government to shew the precise nature and extent of the engagements by which they had pledged the honour and character of the British nation. His lordship concluded, by moving, That an humble Address be presented to the Prince Regent, for an account of all communications that had taken place between Great Britain and Denmark since the commencement of the year, with a view to a pacific arrangement between the two powers.

The Earl of *Liverpool* said, that in replying to the noble lord, he should confine himself strictly to the motion, and merely state the grounds of his objections to it. On the first part of the speech just delivered, which related to the treaty with Russia, he should say nothing, because the noble lord had moved nothing. He admitted that some reasons had been urged why the correspondence between the governments of England and Denmark should be produced, but it would be for the House to judge on the balance of the whole, whether the inconveniencies of such a step, did not outweigh the advantages. He had stated before, and would now repeat it, that the documents moved for, in reality had no connection with the subject that was this night to be debated, on this ground, that the treaty between this country and Sweden was substantially concluded before Denmark had made pacific overtures to Great Britain. The first communication was received from the Danish minister at Stockholm, on the 25th February. An answer was returned on the 28th of the same month, and it did not arrive in the Swedish capital until the 4th March, the day subsequent to the conclusion of the compact now upon the table. It might be said that this disposition on the part of the court of Copenhagen ought to have been foreseen, but that reduced the subject to another question, viz.—whether, under all the circumstances, the treaty with Sweden was a provident and politic measure. He would not now enter more at large into the discussion, since he could not do it so regularly as when the order of the day was moved; but he thought that the reasons he had stated, combined with the probable inconvenience that might arise from unnecessary disclosures, were sufficient to induce the House to negative the proposition.

Lord *Grenville* thought that the noble earl had assigned no satisfactory reason for rejecting the motion, for even were the documents altogether unconnected with the matter presently to be discussed, why were they not, as an independent subject of enquiry, to be produced? A war had been long ago commenced against Denmark, under which an immense naval robbery had been committed, and now a treaty was entered into with another power, after a proposal for peace, under which another mighty robbery was to be attempted; the country required that this new injustice, this lawless violence should, if possible, be satisfactorily explained. He appealed to the memory of the oldest peer, whether he recollected an instance where the grounds of a fruitless negociation had not been laid before the country. Even if no convention had been made with Sweden (and he wished to God it never had been concluded), he should contend that the motion ought to be acceded to; but under the present circumstances his lordship thought resistance unjustifiable. The noble earl had made a statement of dates to prove that the papers required were unnecessary, but in his view they conclusively established that the question that was presently to come under the notice of the House, could not be duly discussed without them. The other day it was confidently asserted that the Swedish treaty long preceded the overtures from Denmark; but now it was obvious that the proposal from the latter was received previous to any formal or regular conclusion of the arrangement with the court of Stockholm. If there existed a hope of co-operation on the part of Denmark, she ought to have been included in the treaty, as on the immutable principles of justice she had entitled herself to every favourable consideration. In his opinion the ensuing debate could not be properly conducted, unless the documents moved for were laid before the House.

The bar was then cleared, and a division took place. The numbers were: For lord Grey's motion, Contents, 27; Not-contents, 72; Majority, 45.

When strangers were re-admitted,

The Earl of *Liverpool* was speaking on the main question. The engagements entered into by the Treaty were wise and just, considering all the circumstances of the period at which it was concluded. But he would go farther, and maintain, that at whatever time it had been concluded, it was founded upon those principles of policy by which alone the safety of Europe could be effectually secured. In considering the subject more particularly, it was necessary to advert to the antecedent state of Europe. Let any one reflect on what was the state of Europe last year? Let any one consider what a storm was hanging over the Russian dominions. Great as had been the exertions of France in her attacks on Austria, and Prussia, and other states, they were as nothing when compared with her exertions for the invasion of Russia. A force of little less, if at all less, than five hundred thousand men, with 60,000 cavalry, formed a combination greater than ever had been brought to bear against any particular country. Was there a man out of an hundred thousand who did not dread the issue—who did not fear Russia would sink before this mass of troops? And did not the noble lord (Grey) himself say, that the event was such as could not have been expected? But while this storm was hanging over the Russian dominions, there were two things necessary to give Russia any chance of ultimate success:—First, peace with Turkey;—Second, the co-operation of Sweden. The first point had been effected confessedly in a great measure by the mediation of this country. The other was hardly less important. It was the interest of France by every means in her power, to secure the alliance and co-operation of Sweden in her attack upon Russia; and after having, in the usual manner of that power, tried the effect of intimidation, by seizing the Swedish Pomeranian dominions, France made large offers to Sweden. The restoration of Finland, and other advantages, were proffered, through the medium of neutral powers, and every attempt was made to gain the accession of Sweden to the French system; but Sweden assumed a tone highly gratifying to those who wished well to the independence of Europe. A great difference of opinion existed among Russian statesmen as to the real value of the conquests which Russia had been making for these last twenty or thirty years; but there was no doubt among them but the acquisition of Finland was a most important object, even with a view to the security of the Russian dominions. He would ask, then, whether it was not reasonable that the Swedish government should have some allowance for so material a loss, when about to embark in what had been considered as almost a desperate cause? Sweden had engaged to unite with Russia against the common enemy; but it was necessary to the safety of Sweden, that Norway should be added to her dominions; and it was agreed in the first place between Russia and Sweden to make common cause for that purpose, that they might afterwards bring the whole of their united force against France and her allies. To this treaty between Russia and Sweden, Great Britain was called upon to accede.

There were three considerations necessary to be attended to here, in order to form a just conclusion as to the propriety of acceding to the treaty in question: 1st, Were Russia and Sweden justified in entering into these engagements? 2d, Whether Great Britain was, or was not, justified in acceding to that treaty? 3d, Whether it was wise and politic in Great Britain to accede to it? First then, he contended, that Russia and Sweden were justified in entering into these engagements. It was an important fact, which the noble lord, in speaking on this subject the other night, kept entirely out of view, that Denmark formed a part of the confederacy against Russia. Denmark engaged at the time of the French preparations, to assist the object of Buonaparté, by occupying the north of Germany with her troops; and this was as complete a co-operation with France, as if the Danish troops had marched with Buonaparté to Smolensko and Moscow. The countries which Denmark had agreed to occupy, were, some of them, at least, in alliance with Russia, especially the duchy of Oldenburg, which had been partly the origin of the last dispute between Russia and France. In the present state of Europe, if a nation set up its weakness as a plea for protection, it ought to set up that plea against the enemy, as well as against you. But Denmark had thought it for her interest to adhere to France, and was following the steps of France, and co-operating in the objects of that power. With respect to the justice of the accession of Great Britain to the engagements between Russia and Sweden, were we not at war with Denmark? He had no objection to discuss the origin of that war over again at a proper opportunity; but at all events we were actually at war. Danish seamen manned the French ships; their ports were hostile to us; their privateers covered the seas in that quarter, annoying our trade by every means in their power. Was there any one who could say, that Great Britain was not as much justified in conquering Norway, as in conquering any place belonging to the enemy in the West Indies, or any where else. The idea of annexing Norway to Sweden was not a new idea, as their lordships must be aware. Sweden had lost Finland, owing to her refusal to accede to the Treaty of Tilsit, by which that country was embarked in a war with both Russia and France. Their lordships knew that an expedition had sailed from this country, under the late sir John Moore, to co-operate with Sweden in the conquest of Norway, as a compensation for the loss of Finland. He would not say any thing of the revolution which had since taken place in Sweden, or of the nominal war in which she had been engaged with this country. Though that war had never been more than nominal, it could not, he would allow, be contended, that it had not released Great Britain from her former engagement, but as Sweden had co-operated so powerfully with England, and evinced such a determination to support its independence, it had a strong claim upon the liberality of this country to promote its objects in any legitimate contest. He could not, therefore, conceive how any one could imagine that Great Britain was not fully justified in making common cause with Russia and Sweden. In regard to the policy of acceding to the engagements between these two nations, there was no object, except the independence of the peninsula, so important to Great Britain, as that Norway should belong to a power, able and willing to preserve its independence against France. It was a maritime country, full of harbours, from which we procured a considerable portion of our naval stores. He did not mean to say, that for that reason solely Denmark ought to be deprived of it; but if it could with justice be placed in the hands of a power more willing to co-operate in the great cause of Europe, it was highly desirable, with a view to the interests of this country, that such a change should be carried into effect. He joined issue upon this, and insisted, that we were completely justified in acceding to the treaty for annexing Norway to Sweden; and that it was for the interest of this country, that Norway and Sweden should be united. There might be great difference of opinion as to how far the power of France could be reduced, or as to the exertions which this country ought to make for reducing that power: but all must agree, that it was desirable for this country, that Norway should be as independent of France as possible. Until Denmark was prepared to sacrifice her German dominions for her insular independence, she must be dependant on France. But it had been the policy of Denmark,—whether a wise policy or not, was not now the question,—to cling to her

German possessions; and therefore, while Norway was in the power of Denmark, it was likely to be under the controul of France. It was our interest that it should belong to a power able and willing to maintain its independence. Sweden, with the acquisition of Norway, might do so, and such was evidently the opinion of the Swedish government, in every point of view. Then he maintained, that it was justifiable for this country to accede to these engagements; and that, in the present state of Europe, it was a most important object, with the view to the interests of Great Britain, that Norway should belong to Sweden. He would not now say, whether a diversion in Germany would have been useful at the beginning of last year's campaign; but though it was thought a main object, whenever practicable, yet it was considered a duty to abstain from a treaty to such effect, till the time should arrive when it could be carried into effect. Even in the course of last autumn, events happened which influenced the conduct of that extraordinary campaign: a large Swedish force in the North kept a French marshal in check: an engagement had been made by Russia to employ a considerable force solely for Swedish objects; and yet at the very time when Buonaparté was marching to Smolensko, the 18,000 Russians who were in Finland were released by the Swedes, and left at liberty to act solely against the French. The destruction of the French army at the Beresina might be ascribed to the junction of that corps with Wittgentein: yes, to the co-operation and good will of the Swedes, resisting as they had all the offers of France, and making common cause with Russia, might the successes of the Russians in that quarter be ascribed. He knew that the Russian government felt this, and that they were anxious that Great Britain should accede to the agreement subsisting between them and Sweden. It was under these circumstances that last winter a negociation was opened between this country and Sweden. There was no question of justice as against us: all that we had to enquire was, whether Sweden was in earnest in the common cause; and our principle of proceeding had been, that the condition of the treaty must depend on the operation being first made on the continent by Sweden. On this ground alone the stipulation was agreed to. He had already stated, that while Sweden was presenting every means of resistance to France, Denmark, so far from exhibiting in the hour of danger any manifestation of good-will to the common cause, was (melted down,—they might call it,—in the mass of French connections) actively concurring and co-operating with France against Russia. At the very time when Buonaparté was marching in full force to Smolensko, Denmark was sounded by the Russian government, and answered, that she was determined to stand or fall with France. Was it, then, morally unjust to refuse to forego the aid of an important ally—for what?—for tenderness to a power who had exerted all her means of injury against us, and had made common cause against us? Surely there was neither sense nor policy in any line of conduct, except the endeavour to conciliate those who had shewn a favourable disposition towards us, instead of sparing a determined enemy. No formal offer had been made by Denmark to England till February last: he was not disposed to deny, that before this, that is, after the evacuation of Moscow by the French, the Danish ambassador at St. Petersburgh had shewn some disposition towards a friendly junction. But what was the consequence? When this was known at Stockholm, and endeavours were made on the part of Sweden to follow up this disposition, it was distinctly disavowed by the government at Copenhagen. Perhaps the Danish ambassador had acted without instructions; or, though he had been so instructed at the time of Buonaparté's greatest danger, yet his escape to Paris operated a complete alteration in the Danish councils. It was only after the almost complete destruction of the French army, that public overtures were made by Denmark; in the then doubtful state of Europe, she might wish to keep well with both powers, and to chime in with those who might be the strongest. He put it therefore to the generosity and policy of the House, whether the friendship of a power who had done the utmost to support the common struggle, was to be thrown aside at that time, for the sake of acceding to propositions from a government whose views were so equivocal. The question then came to this; how far the Swedish government had shewn a disposition to perform the treaty? and here he could say that there never had been an instance of more complete and zealous exertions than had been shewn by Sweden. Troops were immediately in preparation to sail.

Why had they not arrived? Because the transports which were to convey them on the 31st of March, and the 8th of April, did not reach the place of destination, on account of contrary winds, till five weeks after the appointed time. This was the sole cause of the delay, for the Swedish troops were in readiness to embark directly. It was true, that a considerable alarm, which had prevailed at Hamburgh, had induced the inhabitants to require a part of the Swedish force: it was not thought prudent to comply with this request, as complying with the wishes of the inhabitants, they would, in all probability, have been cut off by the enemy. Sweden had at no time held out false hopes; she had before refused to open trade with Hamburgh; she knew that the fate of that town must depend on the operations of the banks of the Elbe: if they should be adverse, no operations on the part of Sweden could save Hamburgh. The circumstance was unfortunate, but could not be ascribed to any want of zeal or preparation among the Swedes. The Swedish corps was now in the very situation where it could act with the most effect towards ultimate success, and it was to be recollected that the fate of that town depended on the movements of the great armies: and if the allies were obliged to retire upon the Oder, the preservation of Hamburgh was impossible. As to the compensation given to Sweden for her exertions, the idea of ceding a West India island to that power was not new: and there never was a case when it was more material, and less detrimental to this country, to make such cession, than on the present occasion. In return for this, a depot for British commerce was to be opened in Sweden: and he would ask, whether such an effectual reversing of the continental system was not in itself a counterbalance, to be purchased at almost any price?—In the past year it was felt that the last struggle of Europe depended on Russia. Look at the state of things now. Let their lordships compare the present state of things, the firmly established independence of Russia, and the nature of the last contests with the French armies, with the prognostications which were formerly spread abroad. The successes had not, perhaps, been such as to satisfy the most sanguine expectations; but they had been great. Last year the most mighty army ever prepared was completely destroyed. The re-action, as had been expected, was most formidable on the part of France. But had the military course of the French commander been in his heretofore usual style? Were his triumphs marked with the usual circumstances? The battle of the Elbe, as well as the other battle, had shewn that the spirit of the people was roused. It was the duty of this country, who was more safe than other powers, to set the example of generosity; and not to treat in the same manner those who submitted to the enemy and those who resisted. Those who resisted must be paid by those in whose cause they act.—(Hear, hear, from the opposition benches.) He maintained that this was but strict justice. On the subject of the slave trade, it had always been deemed important to obtain the concurrence of other nations in its abolition, and this had been provided for by the present treaty. For the last seven years, by the treaty of Tilsit, England had been excluded from the code of Europe: she had struggled against this exclusion, and whatever else might be said, she had by the present treaty got rid of the maritime treaty of France. The noble earl then concluded by moving an Address of thanks to the Prince Regent for laying this Treaty before parliament, and to assure his Royal Highness of their readiness to co-operate with him to carry the same into effect.

Lord *Holland* rose to reply to the noble earl who had just sat down, but felt many difficulties as to the course he should take on the occasion. He felt a difficulty in answering the speech of the noble earl, because from what he could collect, he feared that they annexed different meanings to the same words. When the noble lord talked of justice, the principles of justice, and the independence of Europe, the meaning he (lord Liverpool) apparently attached to them was different from that in which he should use the same terms. He felt also another difficulty in answering the noble earl, though he should not compliment him by saying that there was any difficulty in answering his arguments, or refuting the logic with which they were enforced. But there was a difficulty growing out of the nature of the noble lord's assertions which he would own pressed upon his mind. The noble lord created this difficulty when he contended before their lordships that this country had derived an advantage from the treaty. Was not the first question in this case, whether they were to sanction an act of flagrant injustice—whether they should sacrifice the honour of the nation and the glory of the crown—whether they should abandon that principle for which they had been twenty years contending? He could not bring himself to consent to any such proceeding—no—not the defence of Russia, nor even the eloquence and arguments of the noble lord should ever induce him to sacrifice the fair fame and the high character of the British nation in such a manner. It was necessary for him to follow the noble earl through the whole of his speech. He must observe, however, that in stating the terms of the treaty and the cessions under it, the noble earl had somehow overlooked the million of English money which was to be given to Sweden. The noble lord dealt out millions liberally, and might have thought this circumstance not worth notice. He should endeavour to come to a right understanding, by stating the outline of the treaty, as he understood the stipulations. This country was to cede to Sweden the island of Guadaloupe, in perpetuity, and was to assist her in despoiling her neighbour of a part of his hereditary dominions. One million of the money of the people of this country was to be paid to Sweden. We engaged also never to make peace with the common enemy without reference to these stipulations in the treaty; that is, we were never to make peace unless Sweden voluntarily gave up her claims, or was put in possession of Norway, to which it had no title, and of Guadaloupe, which we had indiscreetly given up. In return for this, Sweden was to do what she was already obliged to do by treaty, and to give right of entrepôt at Gottenburgh, Carlsham, and Stralsund (if she preserved this last place). It was remarkable too, that though we gave Guadaloupe in perpetuity, though we stipulated not to make peace except on the above conditions in perpetuity, yet the entrepôt was given us only for 20 years. The treaty refers to a former treaty concluded between Russia and Sweden last year, the substance of which had been before their lordships. But for the questions put by his noble friend (lord Grey) they should have been obliged to debate the treaty on its own words, for it referred merely to the alliance of the north, without mentioning what its stipulations were. The noble earl who preceded him had an absolute necessity for some fiction to help him out with his speech, and he had resorted to as good a one as could be imagined, by supposing that what was done last year had been effected by the treaty then before the House. This treaty was said to have been necessary, to secure the co-operation of Sweden, though it was difficult to conceive how the treaty before them could have brought about transactions which passed last year. The noble earl had said that this was not to be considered as an insulated transaction, but with reference to the general state of Europe, and not merely the state of Europe, but—what? our general policy?—No!—The anterior state of Europe? No! but the state of Europe at the time when the treaty referred to was signed. Russia had last year found it necessary to sign a treaty in which, for self-preservation, she was obliged to depart from the principles of justice; and for self preservation such a departure was justifiable. Russia did this, and according to the doctrine of the noble earl, it was wise in Great Britain to become an accessary after the fact—to step in and bear her share of the guilt and punishment—to share the disgrace which mankind attached to the deed. He would call on them to examine this point closely. Russia had derived all the advantage from this treaty with Sweden. Russia, by an act of robbery and plunder, had wrested from its ally a part of his dominion; and instead of restoring, agreed with this ally to rob a third party. It had been asked, were we not at war with Denmark? He would ask were they at war with Denmark? The Danish minister, he believed, was still at St. Petersburgh: but certain it was that he was there after the 3d of March. What a tissue of crime would the history of mankind be if the principle of this treaty were adopted? What an argument it would afford for universal robbery, if a weak power was to be despoiled on such grounds. If there was a cause of war with Denmark, let war be openly declared; it was base to carry on a covert war. The Prince Royal of Sweden had said, that Norway was to him a necessary accession, and that he could undertake no operation on the continent as long as he was liable to have Denmark for an enemy. This might be a good reason for taking military possession of Norway, or for applying to Denmark for guarantees on this subject. Nothing of this though is done, but at last he consents to set out on a crusade in Germany, and requests to have from us that in perpetuity which we had no right to give. Norway and Denmark, it is true, have become his enemy; but then he has got Guadaloupe and a million a year, and all danger from Norway at once vanishes. The sugar island and the million would operate as a complete protection against any incursions from that quarter. To hear the noble lord, one would think that the treaty was 'functus officio;' but it should be remembered that though it undertook to furnish 25 or 30,000 men for a co-operation in Germany, it was not till 15,000 men of Russia should march against Norway, and at the time when the greatest armament ever known was marching into the heart of Russia, these men were to be detached to conquer Norway, though without such aggression they could have defended Sweden against any injuries from that quarter. It might be observed, that these troops who could conquer Norway, could defend Sweden against it, yet these troops were to be employed against Norway, with all the troops Sweden could command, while the greatest expedition ever assembled marched against Moscow. It might be said, it was not their business to canvass an engagement between two foreign nations; but when we were referred to this, to justify those excessive engagements into which we had entered, they should be considered with reference to their principles and policy. It was remarkable what a convenient indemnity had been given to Denmark. It had been said, that she was ever necessarily dependent on France, because she was contingent to the north of Germany, which (it was assumed) must always be subject to France. Yet to Germany she was to go to be indemnified for the loss of Norway. Such were the absurdities which a man was forced into when he once departed from the straight road. His policy became as inconsistent with sound views, as his ideas of justice, with what was written in all hearts. It was said that from the struggle in Russia—from the experience of the ardour with which a people have struggled in defence of its sovereign, its independence, and its national prejudices, great political advantages still remained to England and her allies, but on the moral lesson thus afforded, the corollary was, that the Swedes were to march upon Norway, and to force the inhabitants of that country to vindicate their independence.

Whilst he felt it his duty to speak thus of this most disgraceful treaty, he should do wrong, were he to pass over without his warmest expression of applause and admiration, the spirit, the vigour, and the magnanimity displayed by Russia in support of her independence, and in assertion of her natural rights. The great principle upon which she had acted, was that which called forth her noblest energies, and ought, indeed, to excite the noblest energies of all countries against the lawless invasion of despotism, and insatiable ambition. It was a principle which ought to unite by one common and irresistible impulse, the people of all nations, from the palace to the cottage, against the violator of their peace, their happiness, and their independence. But if that principle, great and stimulating as it was, went for any thing in the estimation of their lordships, it surely ought to possess all its value and all its weight, no less with regard to the people of Norway, than to the people of Russia. Was it to be deemed sacred, when Russia was invaded, and threatened with subjugation; and to be of no consideration, and of no avail, when Norway was to be conquered, and torn from her rightful sovereign? Those therefore, who praised Russia for her energies and magnanimity, in the gallant and patriotic assertion of her national independence, could not with the slightest appearance of propriety and consistency, advocate, or be parties to an act, by which the native independence of Norway was to be extinguished, and her people conveyed against their will to the rule and obedience of another sovereign. He was at a loss to find out any reason why Norway was to be attacked, and to have all her ties and connections with her legitimate prince, ancient as they were, wrested from her and trampled under foot, because we had assisted Russia, when she fought and bled for ties and connections of the same nature. The corollary which the noble lord drew from the principle which he himself had admitted, had at least the merit of singularity, which challenged every sentiment and feeling of natural right, of acknowledged honour, and national sympathy. He should, however, candidly admit, that the cause and the object might be a very good one with Sweden herself, who might have, and no doubt had, particular, and, perhaps, justifiable views in the conquest and annexation of Norway to her territory; but how we could reconcile the spoliation and dismemberment, settled and adjusted by the treaty, with our own policy with respect to the continent, as set forth in our declarations against the territorial violations and unprincipled infringements and partitions of France, he should leave the noble earl to decide. He wished to know whether any propositions were ever made by us to Denmark, by which any option was left to her of ceding Norway or not? He understood that this cession was a *sine qua non*, and that Denmark had no option but either to cede Norway with good will, or have it taken from her by force. The principal article of our treaty obliged the king of Sweden to furnish a force of 30,000 men for a direct operation on the continent in conjunction with a stipulated force to be furnished by Russia. Now if the Crown Prince performed his part of the agreement, but Russia did not send the stipulated force to join him, would he not in that case be fully entitled to every thing we had engaged to do for him, even although he had not struck a single stroke against the enemy? If the treaty was tripartite, then the failure of one of the parties exonerated the other two; but in this treaty with Sweden, if Russia did not give the force that she engaged to give, was not the Crown Prince still entitled to all the benefits of his engagements with this country? In former negociations for peace with France, we declared, that we only looked to the restoration of Europe, and that to purchase the restoration of her ancient states, we were willing, from the lap of victory, to give up what we had conquered by our arms. If there were now a negociation for peace, Great Britain could no longer speak of the re-establishment of the ancient states of Europe, if she was pledged to the dismemberment of one of the most ancient. He would wish to know, whether, if the present armistice should put an end to the possibility of any operations of the Crown Prince in Germany, would this country be still bound by its engagements to assist him in the scheme of conquering Norway?—As to another point,—the cession of Guadaloupe,—he would agree, that it was a very desirable thing to engage Sweden and the other European powers in the general interests of the commercial world, but, the manner in which that island had been given up in the present instance met with his disapprobation. It had been said, and truly, that he (lord H.) had expressed a wish that all nations, nominally independent, should be really independent of France; and it was concluded that he ought, in consistence, to defend this treaty. This was one reason why he objected to it. Sweden was independent of France, but Finland was not to be given back to Sweden because it was inconvenient for Russia. Speaking on the general policy of England, he should have objections, independently of considerations of justice, that Sweden should possess Norway; but it was most important that she should not be encroached on by Russia.

The policy of the present measure might be traced to the partition of Poland, the principle of which had been so successfully adopted by other powers of Europe, and was now so audaciously avowed in that House. But, he would ask, what were we doing with Sweden? We were planting a power by the side of Russia, who must, sooner or later, connect herself with France, and not with Great Britain. The Crown Prince of Sweden, indeed, seemed to have a much more rational idea of the interests of his country than our ministers had. In his letter to Buonaparté he very justly observed, that Sweden had constantly been the ally of France since the time of Gustavus Vasa. The very circumstances which the noble earl had pressed, as reasons why Sweden would become independent of France, were precisely those by which he was convinced she would, ultimately, sink into a state of dependence upon that country. Looking at the treaty, therefore, in every point of view, and as far as he could comprehend, it was most unjust, most impolitic, and most injurious. If the Prince Regent's ministers could make such a treaty with the scholar of Buonaparté—a treaty which abandoned all the substantial interests of this country, what might be expected of them should they have to negociate with his master? Would it be too much to anticipate that the interests of Great Britain would be completely sacrificed? In justification of the moral character of the treaty the noble earl found it necessary to have recourse to the new school of morality, but he trusted he would find no justification when he appealed to the Lords of Great Britain. The noble earl seemed to maintain the doctrine that it was desirable to fight the enemy with his own weapons; now the weapons of Buonaparté had been want of principle, though in the exercise of that weapon he had never neglected the interests of France: but the noble earl and his colleagues had outdone their prototype, and in their gratuitous love for that want of principle, they had contrived to shock, to disgust, and to render abhorrent every man in the kingdom, and that without securing one single advantage to their country. His lordship concluded with moving, that all the words of the motion, after the word 'that,' be left out, and that words to the following effect be substituted:—

"That an humble Address be presented to his royal highness the Prince Regent, thanking him for his gracious communication of the Treaty of Concert and Subsidy concluded between this country and Sweden: that their lordships having taken the said treaty into their most serious consideration, begged to express to his Royal Highness their deep feelings of regret and sorrow at the principles upon which it was formed; principles by which the right was laid down and recognised, of tranferring the kingdom of Norway to the crown of Sweden: and the injustice of which was increased by the offer made to Denmark of certain territories in Germany; measures altogether irreconcileable with the established laws of nations, and the true sentiments and feelings of national honour, and public morality; that they humbly begged to represent to his Royal Highness, that no value, no compensation could be made for so flagrant a violation of justice and rectitude; that the cession of the island of Guadaloupe was altogether unwarranted either by a consideration of the actual interests of this country, or by its eventual interests on the negociation of a treaty of peace; that the subsidy granted to Sweden, however desirous they were at all times to make every necessary sacrifice, was inconsistent with the financial difficulties under which the country laboured; and that they therefore humbly begged his Royal Highness to use all proper and justifiable means to suspend the execution of the said treaty, which, after the most mature consideration, appeared to their lordships so highly injurious to the honour of the crown and to the interests of the country."

The Earl of *Harrowby* did not think it necessary to revert to the former situation of Europe, or to enquire into the causes which had induced Russia to take possession of Finland. The treaty ought, in his opinion, to be considered as it more particularly related to the state of Sweden herself; and by an impartial consideration of her situation. Previous to the conclusion of the treaty, their lordships would find ample cause to justify ministers in acceding to that measure. The policy of Sweden, after all her wars and privations,—after her sufferings of various kinds, reduced in territory, impaired in resources, and diminished in population, was evidently to enjoy for a considerable period the blessings of peace, and to cultivate all the means by which she might be enabled to acquire national strength and opulence. He contended that it was the interest of Sweden to have kept free altogether of the contest, dismembered as she had been in a former war, and that neutrality was her obvious policy. With regard to Denmark, Russia had distinctly cause of war with that country as co-operating with France against her. But, did Russia, at that moment, commence hostilities? On the contrary did she not make an offer to Denmark that an equivalent should be given to her for Norway? And who were the powers proposing to give that equivalent? Sweden and Russia! Sweden was ready to give Pomerania, and Russia was ready to give what she had power to bestow. There was no reason to doubt, in the event of the allied powers having been successful, that indemnities might have been found without violating any other territory. That Sweden was sincere in her co-operation, there could be no reason to doubt, from the magnanimity with which she released the Russian army of Finland consisting of 18,000 men, at the most critical juncture of her affairs; and it should be further remembered, that in consequence of the demonstrations made on the coasts of Sweden, France was compelled to keep from 50 to 60,000 men to watch the ports of the north of Germany. These were surely indications of a cordial and sincere disposition on her part to make common cause with Russia against France. Sweden also had been one of the first powers to acknowledge the Cortes and Ferdinand 7th of Spain, than which, she could have done nothing more mortifying to Buonaparté.

With regard to the treaty, whatever of impolicy there might be in it, (though he was far from admitting there was any impolicy,) he distinctly contended it was founded upon no principle of injustice. We were at war with Denmark, and if we could have spared a force for the purpose, we had an undoubted right to attack and conquer Norway if we could. If then we had such a right to do it ourselves, what precluded us from aiding and assisting another power to do it? If we had a good cause of quarrel with Denmark, were we to abstain from uniting with another power who had not equal cause of quarrel, but who was willing to assist us in weakening our avowed enemy? He would be a bold man who would say that we ought to do so. The arguments of the noble lord (Holland) which went to affirm that by strengthening and extending the power of Sweden, we only secured the necessary consequence of making her dependent upon France, seemed to him a little extraordinary.—The acquisition of Norway by Sweden would, he maintained, naturally draw closer the alliance between this country and the former instead of between France and Sweden. The Address which the noble lord had moved, contained many strong expressions and much glowing language, and if it was the opinion of their lordships that the treaty was founded in injustice, and was hostile to the true policy of this country, in God's name he would bid them carry up the declaration of that opinion to the Prince Regent: but if, on the contrary, they were convinced it contained nothing that was injurious to the interests of Great Britain, nothing that was against the acknowledged rights of nations, then they would vote for the original Address.

The Marquis of *Buckingham* observed, that the noble earl had, on the present occasion, disclosed to their lordships what was now the extent and aim of the policy of England, and it appeared that he had cordially adopted that very system which, only a few years since, he so loudly condemned, and so vehemently stigmatised as the system of Buonaparté. Now, however, it was to form the principle of his own policy. He knew not whether it was true, in nature, that every poison carried with it its own antidote; but of this he was sure, that in morals every bad principle contained its own refutation. A stronger illustration of that fact could not be found than what the speech of the noble earl had that night afforded. If he could agree with the noble earl that the treaty in question was founded either in wisdom or honour, or that it was warranted by the existing diplomatic relations of Europe, he should then cordially agree with the Address he had proposed; but, considering it, as he did, the most disgraceful treaty that ever stained the annals of any country, thinking it mischievous in principle, and inefficient in operation, he could not concur with the noble earl. In contemplating it he knew not which to wonder at most; the weakness of its provisions, or the dishonesty of its principle. What was the situation of Europe at the time the treaty was formed? What were the measures that ministers possessed of deciding the great destinies of Europe, and which had been put in their power by such a concurrence of events as would hardly be expected to happen again? For the first time Buonaparté had been beaten and discomfited upon European ground. He had roused the energies of a great country; he had driven it to desperation; the winter suddenly closed in upon him, and Europe beheld the destruction of the mightiest army that perhaps was ever assembled. Their leader was defeated; the basis of his power was shaken, and his downfall was contemplated as an event which it was probable was not far distant. What an opportunity was here furnished for completing the work of ruin which had been commenced in Russia! At such a period wisdom would have united the whole north of Europe against the common enemy. Had this been done?—No. Denmark, while engaged in testifying her sincerity to re-establish the relations of amity and peace with this country, was told in language which could not be mistaken, that she had no alternative, but to be hostile to us, and was thus forced into the ranks of the enemy. The present had by some very unaccountable means obtained the name of the New Era. In some points of view, and those were truly affecting, it might well lay claim to that title. It was indeed, a new era, when our arms by sea suffered defeat and disgrace; it was a new era when we fought for principles which we once detested and abhorred; it was a new era, when we gave our confidence to one who had proved himself a Frenchman in every sense of the word, and who had shewed in every transaction, that while he professed himself attached to Swedish interests, he sought the gratification of his own peculiar wishes, and his own selfish motives. Contrast the conduct of Sweden with what had been done by Denmark, by oppressed and injured Denmark. Her troops were the only ones that had really operated against France, till we forced them to act with France. The opportunity of saving Europe had passed by, and we had established the principle of dismembering one power to bribe another.

The Earl of *Clancarty* supported the original Address, and observed, that in all the House had heard from its opponents, he had witnessed much severity of language, but no argument.

The Marquis of *Douglas* spoke in favour of the Amendment.

Earl *Grey* expressed his surprise at the observation of the noble earl (Clancarty), particularly after the able and augmentative speech of his noble friend (lord Holland); but possibly after what he was about to say, or after what the most able advocate might be capable of offering on the same side of the question, the noble earl would not hesitate to repeat the same observation. Still, with all the fear which he ought to feel of the noble earl's denunciation, he could not forbear from pronouncing this treaty to be an act of gross, unqualified injustice—in fact, one of meditated robbery upon an independent nation, which had given no provocation to those concerned in its promotion, and especially none to this country, and at a time when an opportunity offered of cultivating a close connection with Russia, which was our obvious policy, he could not help lamenting, that other more honourable and effectual means were not adopted for the success of that policy—that our connection with that power should be sullied by any act of a doubtful character—by any act calculated to introduce into the connection the very seeds of dissention. Feeling, as he did, that this treaty endangered the interests of the country, and stained, though not inevitably, he hoped, its honour, he could not give a silent vote on the occasion, though he should thereby incur the danger of repeating much that had been said by his noble friend (lord Holland), who had spoken with an enlightened ability, and a warmth of eloquence, that seemed to have descended upon him from one of the greatest men who had ever taken a share in the politics of this country. Far was it from his wish to derogate from the cause of Russia, or the glorious exertions she had made in defence of her own independence. He thought it the interest and policy of this country to cultivate the closest connections with Russia; but the more strongly did he regret that that connection should have been sullied by engagements which bound us to assist in robbing an independent power. Having premised thus much, he should restate what he had advanced in the preliminary discussion of this evening; namely, that he would not consent to purchase any advantages at the expence of justice; but he was prepared to contend that the treaty under consideration was inconsistent as well with policy as with justice—with those maxims, which were necessary to the common protection of all nations—with those principles of public law, the violation of which on the part of France, that House had so often heard reprobated in terms as severe as they were just. He pointedly censured the treaty with Sweden, which authorised the spoliation of the territories of a friendly and unoffending power, as a *sine qua non*, as an essential preliminary; there was no concession on the part of Denmark which could have avoided that spoliation. Whatever the original cause of war with Denmark may have been, it was impossible to justify it, except on the plea of necessity, and by the law of nations, when that ceased to operate, ample reparation should be made for the injuries inflicted. It was not only the money advanced under the treaty that Sweden pocketed. She had also upwards of 300,000*l.* plundered from the merchants of this country. Our new ally Sweden had been long attached to French politics, and in point of fact, a French minister continued at Stockholm till the end of December; and the Swedish government was reproached by the French minister Bassano, with wanting to wrest Norway from Denmark. The real cause of complaint on the part of Sweden against France was, that the latter refused to concur in its designs upon Norway. The conduct of his Majesty's ministers in acceding to such a treaty with them, had no foundation whatever, in true policy or in justice. The annexation of Norway to Sweden would eventually prove highly injurious, as Russia would naturally be connected with this country, and Sweden with France. The treaty in question was more derogatory to the honour of the crown, and degrading to the character of the country, than any ever yet submitted by any minister to parliament. How stood the situation of Russia and Sweden in regard to Denmark when they framed this treaty? Denmark was at war with neither. What causes of complaint had Russia against her? The Crown Prince of Sweden had assigned none; nothing had been put forward in that quarter, but the old French ground of a moral and physical connection which made Norway the natural appendage of Sweden. Would their lordships stamp with hypocrisy all their own declarations against the unprincipled ambition of France? Bearing in mind the annexation of Belgium, Savoy and Holland to France, which annexation, by the way, with respect to Savoy at least, had the professed sanction of a demand from a great portion of the people of those countries. Was it necessary for him to add any thing to the indignant language in which the grounds of such annexation were reprobated by Mr. Burke, which language it was impossible to forget? Indeed the mere statement of such grounds was sufficient to revolt every heart susceptible of any regard for justice or policy. He would only for a moment make the case our own. Suppose that Russia and Sweden had demanded from our sovereign the surrender of Hanover. On this point he spoke disinterestedly, for he thought it would have been better for this country, had Hanover been at the bottom of the sea; but a sense of the honour of the crown would have induced him rather to risk war, than to accede to such a proposal. But supposing these powers had added, we will give you Calais and Boulogne in exchange for it, he should have thought that they joined insult to injury. Instead of any rational inducement being held out to Denmark to join the allies, she was told, that she must pay, as the premium of our friendship, the very price which wonld be exacted from her as the punishment of hostility; and then followed that hypocritical provision, that the robbery was to be carried into effect, with all due regard to the happiness of the people of Norway. But if the Norwegians, mindful of their allegiance, and of their duties to their sovereign, should resist their forcible separation, then ministers bound themselves to carry fire and sword into the peaceful homes of a people really attached to this country, and to visit them with all the miseries of war, because their sovereign refused to barter them like cattle. But it was said, that Denmark had been uniformly hostile to this country, and that her weakness was no excuse. Certainly if a weak power became a ready instrument in the hand of our enemy, we were entitled to deprive her of the means of injury. But the overwhelming influence of France was withdrawn: Denmark sent her minister to make peace with this country; she sent her troops to defend Hamburgh, and that was the moment when ministers announced to her that they had become parties to her spoliation. The noble lord next took a view of the policy of the treaty. That a powerful diversion on the side of Pomerania would have been highly desirable could not be denied; but this Swedish diversion was perfectly useless, unless the co-operation of Denmark were first secured. The hostility of Denmark completely neutralised the efforts of Sweden. The noble lord then took a view of the political relations of the northern powers, and contended that it was by no means a just policy to aggrandise Sweden. But had it been shewn to be advantageous, all communities must equally condemn a departure from the principles of justice, and he contended, that a departure from them, in this instance, was not less disadvantageous than dishonourable. He ascribed the signal discomfiture which Buonaparté had experienced last winter, to his making his military operations dependant on political speculations, over which he had no controul. The retreat from Moscow had annihilated the mightiest army which France had ever sent forth; her palaces had been filled with lamentations, and her land covered with mourning: yet such were the resources of that man's mind—such the power of the country over which he ruled, that he had absolutely re-created his army; and by two great battles, rendered his supremacy in Germany more complete than ever. The spring, he thought, ought to have witnessed some attempt at negociation. Had such an effort been made, the war might have probably been happily terminated. The situation of Buonaparté was such, that it was likely he would not have refused to attend to moderate propositions had fair offers been made, and terms beneficial to every power in Europe might have been obtained.—To the imbecility of ministers was to be ascribed the contrast between the present situation of France, and that which she exhibited at the close of the last campaign. With his noble friend he agreed an opportunity had been lost never to be recalled. A disposition towards peace might have been shewn with dignity and effect, showing equally the moderation and justice of the country. Moderation in success was an infinitely superior policy to solicitation after failure. Such a line of conduct would have enabled ministers either to make peace advantageously, or to carry on hostilities with increased vigour and effect.

Earl *Bathurst* observed, that the noble earl had displayed, nay, exhausted a great deal of ingenuity and eloquence; but in his mind had advanced little of argument applying to the real merits of the case. With respect to the ships which were detained by Sweden, and not liberated until fines were imposed, as mentioned by the noble lord, the fact was, that a number of British ships were driven into Carlsham and other of the Swedish ports: the countries were then at peace, but before the vessels could sail they became hostile, and their detention was the consequence. This country had acted so in similar circumstances. He granted that if our acquiescence in the treaty was morally wrong, it could not be truly politic: but that it was the former, not one word of the noble earl's tended to prove. We were at war with Denmark at the time, and therefore, without moral reproach, we might have attacked Norway ourselves, and kept possession of it, as well as of their West India possessions, or the isle of Heligoland; and in that view an attack, if necessary or expedient, in concert with our allies, was equally justifiable. In treaties of alliance no one of the parties could fairly treat but in conjunction with the rest—a consideration that operated with others in the late negociations at Denmark. An acquiescence in the treaty in question was equally founded in political expediency as in morality. If it were withheld, in what a situation would the country be placed. The Crown Prince might then have demanded the 35,000 men from Russia, and with all the forces of Sweden in addition, have attacked Norway. That force was now otherwise employed: and without such a diversion the allies may have been driven from the Oder to the Vistula! If they had guaranteed the dominions of Denmark, this country might have been ere now in a state of war with Russia and Sweden; or in a situation, in which, whether Russia or France were victorious, all would be loss to this country: whereas by acceding to the treaty, these complicated difficulties were avoided; and they would be enabled by it to bring a force of 65,000 men to act against France in the present campaign, which could not otherwise have been so employed. The whole time the negociation between this country and Denmark was carrying on, the fact was known to France, who notwithstanding continued to stile Denmark its good and faithful ally, and to keep its minister resident at Copenhagen. This may be considered with reference to the sincerity and objects of the court of Denmark in the transaction; whose real design, however, in his opinion, seemed to be to keep well at the same time with both France and England; but in all situations of that kind it must naturally be expected that a little falsehood might be told to at least one of the parties. Recurring to the conduct of ministers in acceding to the treaty in question, the noble earl contended it was justifiable in point of justice and morality, warranted by sound policy, and called for by the particular circumstances of the case. The noble earl pronounced a warm eulogy upon the conduct of the Russian people, and more particularly upon the cabinet which had placed the fleet of the empire in the hands of the British government, thereby erecting a splendid monument of the liberality of Russia, and of the honour of Great Britain.

Earl *Grey* alluded to the terms employed in the treaty, particularly the wording of the articles respecting Norway and Guadaloupe, contending that it was a guarantee in perpetuity of both to the Swedish government.

The Earl of *Liverpool*, on the contrary, contended, that it was only a virtual guarantee, contingent upon the performance of certain stipulations on the part of Sweden. He detailed to the House the particulars of the Resolutions themselves in support of his position.

A division then took place, when the numbers were: Contents 78; Proxies 62—140. Not Contents 40; Proxies 37—77. Majority in favour of the original Address, 63.

HOUSE OF COMMONS.

Friday, June 18.

VICTUALLERS RELIEF BILL.] Mr. Rose moved that the House should go into a committee on the Victuallers' Bill.

Mr. *Giddy* opposed the Speaker's leaving the chair, on the principle that the object of the Bill was beneath the attention of the legislature. A sounder maxim could not be laid down than that well known one, *De minimis non curat lex.* It also interfered improperly in a private transaction between individuals, in itself perfectly harmless, for their mutual accommodation. It was said in the preamble, to be one object of the Bill to take away the temptation to the crime of stealing pewter pots, to which children were now regularly trained, and for which they were constantly convicted. He had looked at the ages of some of those infants, whose morals the right hon. gentleman was so anxious not to have contaminated, and he found some of them as follows:—John Jones, 73; Sarah Davies, 69; Thomas Ladbrook, 54, &c. Upon an average, the ages of the supposed infantine offenders exceeded 50. So much for the care of the friends of this Bill for the rising generation. Besides, if the mere possibility of the temptation to commit crime were a sufficient ground for a law of this kind, we might shut up the jewellers' shops, and ought not to carry watches or silk handkerchiefs about our persons. He believed the secret motive for the desire of the publicans for the Bill, was the hope that by preventing the sending out of beer in pots, it would lead to tippling in ale-houses. He moved as an amendment that the Bill should be committed on that day three months.

Mr. *Rose* said, that notwithstanding the contempt with which the hon. gentleman had treated his Bill, an Act of the same kind had passed in the reign of George 2, under the auspices of no less men than sir R. Walpole and lord Hardwicke. This Act did not now operate, merely because the King's printer had, by mistake, written over against it 'repealed.' The injury to the publicans, which he wished to prevent, was not a possible or imaginary evil. They had the positive allegations of a hundred individuals, that they suffered a loss amounting to about *35l.* annually by this practice. The reason why most of the persons by whom the offence was committed appeared in the returns to be old people, was, that it was generally committed by children, who were too young to be prosecuted.

Mr. *Croker* ridiculed the idea, that this offence was committed generally by children, though the returns gave us only a list of veteran delinquents. He denied that any such Act as that which the right hon. gentleman had said was repealed by the King's printer, had ever passed. In one of the Excise Acts of sir Robert Walpole, indeed, a clause was inserted to prevent publicans from sending out beer in any vessel, whether pewter, silver, or otherwise, in less quantity than one or two gallons, but this had nothing to do with the species of vessel used. The hon. gentleman then entered into a general argument against the present Bill, for the necessity of which he contended no just cause had been assigned. The right hon. gentleman (Mr. Rose) himself knew nothing of those who had signed the allegations. He (Mr. Croker) thought the foundation of the Bill was altogether as unsound as the superstructure was ridiculous.

Mr. *Rose* defended the Bill, and read a part of the former Act, which he contended was expressly directed against stealing pewter pots. He said, he was sorry the hon. gentleman seemed disposed to add insult to injury.

Mr. *Whitbread* said that, as he had been unexpectedly made an umpire in this dispute, he must say that the word 'pots' appeared to be in the former Act. Mr. Croker had objected to his right hon. friend, that he had no acquaintance among the class of persons whom the Bill professed to relieve: he would, perhaps, object to him, that he had too much acquaintance among them, though he by no means thought so, and wished to extend it as much farther as possible. But he could say from personal knowledge, that the present practice was a serious injury to the publican, and he should strenuously support their claim to relief.

The House then divided, when there were for Mr. Giddy's Amendment, 42; Against it, 67; Majority for the Bill, 25.

Local Tokens Bill.] The Chancellor of the Exchequer moved the order of the day for the second reading of the Local Tokens Bill.

Mr. *Huskisson* thought this a proper opportunity to ask the right hon. gentleman whether it was intended by the present Bill to prohibit the circulation of the local tokens of copper? Of this description of tokens there was an immense quantity issued in various populous neighbourhoods in the country, and from the spurious metal of which they were formed, they had a direct tendency to enhance the price of the first necessaries of life to the poorer classes of society. These tokens, which were generally issued by large manufacturers, and were exchanged at par for bills at twelve months after sight, so that when they were taken by shopkeepers in payment for the commodities in which they dealt, it was natural that these men should place such a price on their goods as would indemnify them for the interest of their money, which it was seen would be locked up for twelve months, and secure them against the possible risk they might run from the probability of failure on the part of the house from whence the tokens might be issued. The labouring classes were obliged to submit to the imposition which was thus practised upon them from the difficulty of procuring employment.

The *Chancellor of the Exchequer* said, that the Bill, as it was at present framed, did not at all apply to copper tokens. The suggestions of the right hon. gentleman were extremely important and very just, and he should be extremely happy to attend to any propositions which he might think proper to make in the committee.

Mr. *Rose* was not aware of the existence of the practices which had been adverted to by his right hon. friend, but he certainly thought they were of such a complexion as to call imperatively for legislative interference.

Lord *A. Hamilton* expressed his astonishment that any necessity should be felt for introducing the present Bill, after the intimation which had been given by the Chancellor of the Exchequer of the probability of a favourable increase of exchange between this and foreign countries, before the expiration of the present session of parliament.

Mr. *Grenfell* thought the evil which had been complained of by the right hon. gentleman opposite might be remedied by the government putting in circulation a sufficient quantity of the copper coin of the realm. Whatever scarcity there might be of silver and gold, there surely was no scarcity of copper.

The *Chancellor of the Exchequer* said, there had been that favourable change in the exchange between this and other countries which he had anticipated, and there had also been considerable arrivals of bullion. Although this had been the case, however, the nature of our expenditures upon the continent had been such as to preclude the possibility at present of making any advantageous alteration in our current coin. With respect to the copper currency which had been alluded to by the hon. gentleman who had spoken last, he apprehended there was no want of the legal copper coin of the realm. In London, the circulation, he believed, was too prolific, and if the coin was wanted, he had no doubt it could be procured in any quantity.

The Bill was then read a second time, and ordered to be committed on Monday.

TREATY WITH SWEDEN.] Mr. *Whitbread*, before the debate commenced, was desirous of asking a question of the noble lord opposite, which it was extremely desirable the House should have answered. The second article of the Treaty between this country and Sweden was as follows:—"The said courts having communicated to his Britannic Majesty the engagements subsisting between them, and having formally demanded his said Majesty's accession thereto, and his Majesty the king of Sweden having by the stipulations contained in the preceding Article, given a proof of the desire which animates him to contribute also on his part to the success of the common cause; his Britannic Majesty being desirous, in return, to give an immediate and unequivocal proof of his resolution to join his interests to those of Sweden and Russia, promises and engages by the present Treaty to accede to the conventions already existing between those two powers." The Convention here alluded to, between Sweden and Russia, it appeared, had been signed in March, 1812, and that with his Britannic Majesty not until the 3d of March, 1813. He was desirous of being informed by the noble lord, at what period the Convention between the two first-mentioned powers was communicated to his Majesty's ministers?

Lord *Castlereagh* answered, that he could not speak to the precise time, but he believed it was some time in July, 1812. The noble lord then moved, first, "That the House should resolve into a Committee of Supply;" and next, "That the Treaty with Sweden, presented to the House by command of his Royal Highness the Prince Regent, be referred to the said Committee."

Mr. *Ponsonby* rose and said:—Sir, on the present occasion, I conceive the most convenient method of raising the debate on the merits of the Swedish Treaty, is to proceed with the discussion prior to your leaving the chair:—because, in the Committee of Supply, if we were to take its merits into consideration, we could finally do nothing more than come to a vote for or against the proposed subsidy—we could present no Address to the throne on the subject—nor could any of our proceedings, beyond the mere vote of Supply, appear on the Journals. As it is my wish to present to the crown an Address from this House, on the subject of the Treaty, calling on the Prince Regent to take such steps as may be consistent with the honour of the crown and the public faith of the country, to suspend the execution of such parts of the Swedish Treaty, as may be suspended; and, finally, to enter into negociations to disengage himself, if it be possible, from the Treaty altogether, I think the most proper period for moving such an Address, is previous to your leaving the chair. Sir, I believe this is the first instance in which a treaty, containing the cession of a valuable possession of the crown of Great Britain, has been laid on the table of either House of Parliament, the minister of the crown in such House not having expressed a desire to take the sense of parliament upon it.—If it were merely a treaty of subsidy, the necessity of that subsidy might be examined in a Committee of Supply; and the House, by granting or withholding the subsidy, might signify their approbation of, or dissent from, its propriety. But the present is not merely a treaty of subsidy; it is also, among other things, a treaty of cession on the part of Great Britain, for the island of Guadaloupe. And I did suppose, when a treaty for the cession of that island was laid on the table, that his Majesty's ministers would immediately have moved an Address to the crown, by which the House would have had an opportunity of expressing either its satisfaction or disapprobation, with reference to that cession. The noble lord has, however, followed another course. In the other House of Parliament, as far as we are cognisant of its proceedings, the minister of the crown cannot pursue the course adopted by the noble lord. He must move an Address to the crown, either approving or disapproving any treaty which it may have entered into—and, on that motion, the sense of the House may be taken. But, in the present case, where the minister of the crown has forborne to move any Address—in the present case, where his Majesty's cabinet have remained silent on that subject—I am obliged to have recourse to this rather unusual mode, for the purpose of taking the sense of parliament on the merits of this treaty. Sir, the first and most remarkable thing in the treaty concluded between Sweden and Russia, to which treaty his Majesty was advised to accede, the most remarkable thing that strikes us in that treaty is—the object of it—as professed by the two contracting parties. The object of that treaty (as stated in the document laid before the House, which the noble lord has told us comprises the substance of the Convention) is "for the purpose of securing reciprocally their states and possessions against the common enemy." This is the professed object of the stipulations of the treaty concluded by the emperor of Russia and the king of Sweden, "the security of their states and possessions against the common enemy;" meaning France; for, I believe, there is no other power with which they were then unitedly at war. Sir, in the course of the last war between Russia and France, which was terminated by the peace of Tilsit, certain negotiations subsisted between these governments, and a certain understanding took place between them on particular subjects, which were not then divulged to the rest of Europe. But soon after the conclusion of peace, Russia attacked Sweden, and acquired the dominion of Finland; a dominion long desired and ardently sought for by that power, in the course of different wars and negotiations. Russia having obtained Finland, by the connivance, if not by the open assistance of France, as soon as ever she found herself likely to be involved in a new war with that power, she determined to secure herself in the possession of Finland, which she had acquired from Sweden. That object she did not attempt to attain by force, but by buying over and conciliating the state to which the province originally belonged—by transferring to her part of the dominions of another power. In order to induce Sweden not to insist on the restitution of Finland, Russia entered into an understanding with her, and ultimately concluded the Convention, the substance of which is contained in the paper laid before the House. By this Convention it is stipulated, that the cession of Norway to Sweden, by the crown of Denmark, is to be procured either by treaty or by force—And, for this purpose, Russia is bound to provide a force, of from 15 to 20,000 men, to co-operate with Sweden. By a subsequent convention, dated the 30th of August, 1812, the Russian auxiliary force is to be carried to 35,000 men. This latter convention, I believe, was entered into at the very time when his Majesty's ambassador, lord Cathcart, was present at Abo. Now, Sir, to induce Denmark to make the cession of Norway to Sweden, what steps were taken by the two contracting parties to that treaty? They expressed themselves thus:—"As the king of Sweden cannot make this diversion in favour of the common cause, consistently with the security of his dominions, so long as he can regard the kingdom of Norway as an enemy, his majesty the emperor of Russia engages, either by negociation, or by military co-operation, to unite the kingdom of Norway to Sweden." Here is a stipulation, not to procure for Sweden any territory to which she has a just claim—not to procure for Sweden any security which she might demand against the forces of Denmark—not to procure for Sweden the possession of forts or fortresses —not to procure for her what is called military possession of Norway, to prevent any attack from Denmark in that quarter —No, this stipulation is to procure, either by negociation or force, the perpetual cession of Norway itself. The treaty goes on to say, "The two contracting parties being unwilling, if-it can be avoided, to make an enemy of the king of Denmark." If it can be avoided! How modest are their expressions! how gentle their manners! how kind their intention! Being unwilling to make an enemy of the king of Denmark! Unwilling to make an enemy of whom? of a monarch with whom neither of the parties pretended to have the slightest cause of quarrel. Feeling this virtuous reluctance, what do they propose to do—"they will offer to his Danish majesty, to procure for him a complete indemnity for Norway, by a territory more contiguous to his German dominions, provided his Danish majesty will cede for ever his rights to the kingdom of Norway." Here are the deliverers of Europe, contracting between themselves, for the purposes of their own base ambition, to take from an unoffending potentate a portion of his ancient territory—to tear fróm him who wore the crown of Denmark, a most valuable part of his dominions, that it might be given to one of these parties, as an equivalent for that which had been wrested from him by the other. But, it seems, they are to give to the king of Denmark a full compensation for Norway. That is, by granting to him "certain other territories, more contiguous to his dominions in Germany!" I do beseech you, Sir, to look to the circumstances under which this flagitious offer was made. France was to be driven back to her ancient boundaries: Germany was to be delivered—all Europe was to be freed from the grasp of the French emperor, by the united force of Russia and Sweden! and in order to induce the people of Germany to make an effort against France, how did these liberators act? They take a part of Denmark and give it to Sweden—a province to which neither had any claim— and they offer to indemnify the former power by some dominions contiguous to his German territories. The policy of this stipulation, which must disgust the people of Germany, is equal to its justice. And how any cabinet in this country, acting under a monarch, remakable for his own good faith, and high sense of honour—remarkable for his own scrupulous attention to the dictates of justice—a monarch, the greater part of whose reign has been spent in carrying on a bloody and expensive war, to prevent France from establishing the very principles contained in this treaty, a monarch, placed at the head of a nation, remarkable, I hope, for probity and rectitude—a nation, which has borne its burdens and privations with unsubdued magnanimity, because they appeared necessary for the support of the rights of mankind—for the re-establishment of the public law of nations—for the interests of honour and justice amongst the human race—that the ministers of such a king and such a nation could have the hardihood to call on that monarch and that people to accede to a treaty like that entered into between Russia and Sweden, exceeds any thing to be found in the history of courts, or of the world. Sir, if the ministers of this country absolutely wanted to establish the system of France throughout Europe—that system so often and so justly reprobated— they could not have adopted a proceeding better calculated to produce that effect, than by advising the crown and the parliament to sanction this convention. Do we, Sir, throughout the whole of it, find any one sentence expressive of an anxiety for the liberties of mankind, or the general interests of the world? Yet, Sir, notwithstanding the abominable and atrocious stipulations which this convention contains, we are made to say, in our treaty with Sweden, which recognises the convention; that the transfer of Norway from its rightful monarch—that the separation of the people from their lawful sovereign, "shall take place with every possible regard and consideration for the happiness and liberty of the people of Norway." But, Sir, can we discover in all this any principle which is likely to excite Europe to an opposition against the power of France? The spirit of this treaty—its stipulations—its various objects—are all conceived exactly in the same policy, in which the former most unprincipled, disgraceful, and ruinous conduct of Russia, in the partition of Poland, was conceived. That conduct which banished the law of nations from Europe, and introduced, in its stead, the law of the strongest.—This system, too, was persevered in at a time, when the assistance of the Poles themselves was wanting against the common enemy. For no greater engine could be placed in the hands of the French ruler, than the power of terrifying Russia, in the present war, by pointing to the doubtful allegiance of those very people. This treaty speaks volumes to the Poles—this treaty speaks volumes to the people of Germany. And, when these papers are read on the Continent, what will the minister of any independent power say to the noble lord, when he speaks of the rights of nations, of the freedom of Europe? Will he not say, that England, by acceding to such a treaty, has assisted in destroying them? Now, Sir, what is the professed purpose of our treaty of cession? The contracting parties, "penetrated with the urgent necessity of establishing with each other a close concert, for the maintenance of the independence of the North, and in order to accelerate the so-much-wished-for epoch of a general peace, have agreed to provide for this two-fold object by the present treaty."—So the independence of the North is to be established by wresting a part of his dominions from one of the most independent and ancient of the northern powers, and a general peace is to be brought about by transferring a portion of Germany to the king of Denmark, from whom you propose to take the kingdom of Norway. In short, you will effect the two avowed objects of this treaty, by making yourselves accessary to a state of things which were calculated to produce war if none had existed before. But it is for the interest of England, that Norway should be taken from Denmark? I have always understood that Norway was as happily placed for the security of England as it was possible for any country to be. There was, therefore, no private interest, to create a desire in England that Norway should be so disposed of. But then "the independence of the North" is most hypocritically and deceitfully placed in the front of this treaty, as a public ground for agreeing to the cession of Norway, at the very moment, when that independence is violated in the most essential point!—(Hear). And, after this act, to talk of a desire of accelerating peace, when it was thus placed farther off than ever, exceeds, in my opinion, all that the most confident ministers, before the present day, ever thought of inserting in a public instrument! The king of Denmark is to be compensated for this loss of territory. He is to be induced, or compelled, to give up Norway. Some few days since, I moved for an account of the correspondence between the government of this country and that of Denmark. And I was then told, by the noble lord, that the public service rendered it improper to make such a disclosure. How the public service could be affected by it, is difficult to be conceived. Is it because either Denmark or France must be so nearly concerned in this correspondence, that the noble lord felt himself called on to withhold the transaction from the public? Denmark, being one of the parties, must of course be in possession of all the circumstances. And does the noble lord imagine that France is ignorant of what passed on that occasion? Could the noble lord suppose this, when it was well known that a French general was resident at the court of Copenhagen at the time? It is impossible to suppose it. No, Sir, a very different cause can be assigned. Left as we are to conjecture on this information, I do conjecture, that there was much discussion on the subject of compensation, for the cession of Norway, with the minister of the king of Denmark. And this, I conceive, is the point which his Majesty's ministers do not wish to make public.—I may be wrong in this opinion—possibly I am wrong; but I think the great reluctance to produce the correspondence, is full as likely to have arisen from this, as from any other cause. It cannot be supposed, that it originated either in any fear of the power of France, or in any apprehension lest the interests of Denmark should suffer; and I certainly shall not recede from this belief till very strong reasons are adduced in support of a different opinion. There is, Sir, in the 2d article of the treaty, something extremely curious, and particularly worthy the attention of the House. The wording of the article is exceedingly remarkable; one should suppose, on the first view of it, that an option was given to the king of Denmark, either to concede Norway to Sweden or not, just as he pleased. Now, Sir, the exact reverse of any such option is the truth; for, by the stipulations existing between Russia and Sweden, Norway must be given up—there is nothing optional left. His Majesty is made a party to these stipulations, and in the treaty with Sweden is made to say—"that he will not only not oppose any obstacle to the annexation and union, in perpetuity, of the kingdom of Norway, as an integral part, to the kingdom of Sweden, but also will assist the views of his majesty the king of Sweden to that effect, either by his good offices, or by employing, if it should be necessary, his naval co-operation, in concert with the Swedish or Russian forces. It is nevertheless to be understood, that recourse shall not be had to force, for effecting the union of Norway to Sweden, unless his majesty the king of Denmark shall have previously refused to join the alliance of the North." Thus, Sir, on reading this paragraph, it is so worded, that you might imagine the king of Denmark to have the option of joining the alliance of the North, and of retaining Sweden. Whereas, if you look to the stipulations of the treaty, you will find, that nothing will satisfy Sweden, but the cession of Norway; and all the option left to the king of Denmark, is, to receive the compensation marked out by Russia and Sweden. But, as to keeping Norway—as to retaining one of the most valuable possessions of his crown—as to continuing his reign over subjects remarkable for their affection to his person and government, no such choice is given to him. He must give up that territory—he must part with those affectionate subjects—and, in return, he must receive a country of which he is ignorant—he must be content to accept strangers, who never owed to him the duty or the allegiance of subjects. I defy the noble lord or any other person in this House to deny the statement. Under these stipulations, nothing can, by possibility, satisfy Sweden and Russia, but the cession of Norway—and the sole option left to the king of Denmark is, to resist force by force, or to content himself with whatever these powers are disposed to give him. Now, Sir, as to the principle of this treaty for the partition of Denmark (the true and legitimate offspring and successor of the partition of Poland.) I know not what there was that could induce England to assent to it. That this country should so far accede to a treaty, formed and conceived in violence and fraud, was what no interest, no prospect of advantage, should ever have induced her to do. But what profit is she to derive from giving it her sanction? The alliance and co-operation of Sweden! But, does she not, at the same time, call down the provoked and aggravated hostility of Denmark? Thus, if you gain Sweden, you lose Denmark—and the one power, I believe, is very nearly as great as the other—but, it is said, "we were at war with Denmark, and, therefore, we were justified in annoying her as much as we could." Now, Sir, let us examine this argument—let us fairly investigate it. The only legitimate object of war (as laid down by any writer on public law, or by any author of great character,) is stated to be, the attainment of peace. It has never been acknowledged by any government, whatever its practice may have been, that it waged war for the extinction of that nation, with which it was embroiled; that it prosecuted hostilities for the sole purposes of subjection and slavery. Every government asserts, that it has just cause of complaint, and that it seeks, by war, for a proper satisfaction:—or else it sets forth, that it fears some sudden act of hostility, and desires to have security against that power, from which it apprehends any latent danger. Now, in the negociation which this country carried on with Denmark, the first duty of the minister, by whom it was conducted, was to have endeavoured to produce that state of things, between the two countries, which would have rendered the return of peace, not only possible, but near. Instead of abetting a treaty, by which the powers of the North were to be forced into fresh hostility against each other, a wise statesman in the present posture of affairs, would have joined all the northern states in one common interest, and directed their united force against the usurpations of France. But, Sir, the stipulations of the Swedish treaty render such an union impossible. The justification for these stipulations, is, "We were at war with Denmark." But, surely, Sir, we were not at war for her extinction. We went to war with her, because we feared that France, with her usual disregard of justice, would seize the naval power which Denmark then possessed, and turn it against us—therefore, it may be said, we were compelled, by the dictates of self-defence, to proceed as we had done. But, Sir, if I admit the truth of this allegation, what is there to justify eternal war against Denmark? What is there to justify this country in joining in a treaty, by which Denmark is to be deprived of a portion of her territory, and by which fresh dissensions will be produced in Europe? In order to obtain this alliance and co-operation of Sweden, Russia has stipulated to place a force of 35,000 men, at her disposal, for the conquest of Norway. This force she was permitted to unite with her own; and she was then allowed to make use of it against Denmark, before she commenced any direct operation on what is called 'the continent,' that is, Germany. This was the stipulation which ministers found existing, when his Majesty was invited to accede to the terms of that treaty. It was not, however, suited to the views of this country, that Sweden should employ her own forces, and those of Russia, in conquering Norway, before the general interests of the allies were consulted; because the blindest and most inexperienced statesman must see, that if those troops were to be employed in Norway, against the Danes, we should only have bought, at a very great expence, a diversion against ourselves, in favour of France. It was not a matter of any importance to the ruler of France, what forces were combating the Danes in Norway—his great object was to prevent a coalition between the northern powers against him. This being the case, ministers were desirous of changing that stipulation in the Russian Treaty, by which Sweden was at liberty to advance her troops, and those of Russia against Norway, in the first instance. And how, Sir, did they effect this? Sweden, the friend of enslaved Europe—Sweden, on whom we relied so much, at that moment, and on whom, perhaps, many still rely, for an efficient and useful co-operation against the common enemy—Sweden, the enemy of tyranny, refuses to give up her intended attempt on Norway, unless greater benefits are proffered to her, than those held out by Russia; and in order to induce her to act in that way which ministers desired, we agree to give her a million of money, and to cede to her the island of Guadaloupe. In short, we buy off and do away the stipulations which existed between Sweden and Russia, by which the former power was permitted to conquer Norway, before she joined the common cause, and we induce her not to employ her forces for the subjugation of Norway, but to assist with her arms the operations in Germany. So here, Sir, we have a tolerable specimen of the disinterested conduct of Sweden. If we wanted any additional proof of the motives which actuated the ministers of the king of Sweden, we should find it in this transaction. But his Majesty's ministers having obtained this point, the promised, the supposed co operation of Sweden in Germany, we are now to consider what benefit has resulted from it? Why, Sir, the Swedish troops arrived on the continent exactly in time to witness two defeats of the allied powers! and to be idle, useless and immoveable spectators of the armistice which has just been concluded!—This, Sir, is what we have got for a million of money, and the island of Guadaloupe. Certainly, the wisdom which procured such advantages, is equal to the probity that advised his Majesty to become a party to the treaty between Russia and Sweden! But, it appears, we have received other advantages; we are invested with a right of *entrepôt*, in three of the principal towns of Sweden, Gottenburgh, Carlsham, and Stralsund, for the space of twenty years. Have we obtained this right, in perpetuity, from Sweden, in the same way as we have given up Guadaloupe? No such thing. We cede Guadaloupe for ever; his Majesty gives it up, as far as he can possibly make over his right—and we are presented with the privilege of *entrepôt* in these towns, for twenty years only. I believe, Sir, it is declared, by all writers on the law of nations, that where a state possesses itself of that which belonged to another country, and the war still continued—where one state acquired, and one state lost—it is generally held that the acquiring state cannot be considered in full and lawful possession of the territory, so as to have a right of transfer, until a treaty has taken place, and that it is ceded by the party to whom it originally belonged. But we, in the very same war in which Guadaloupe was captured, without, I may undertake to say, any negociation having been entered into for that purpose, are called upon to give up all his Majesty's rights in that island, as far as they can be ceded, to Sweden. Guadaloupe, certainly one of the most valuable of the West India islands, and situated in a most favourable position to annoy the trade of Great Britain, if placed in the hands of a maritime power, is ceded without any prospect of present or future advantage. Now, Sir, let us examine this boasted right of *entrepôt*—which must be considered both with reference to a time of peace and a time of war. Suppose this country at peace with the world—suppose a general peace concluded on the continent to-morrow—what use then would this right of *entrepôt* be to this country? We could then send our goods and merchandize directly to those ports where we wished to establish an *entrepôt*—surely we should not require the interference of his Swedish majesty? Surely we should not want a variety of stages in our commercial transactions? Suppose the war with this country to continue, and that France succeeded in one of her great objects, that of compelling the different powers, at the conclusion of peace, to receive the continental system again—I do not think that the right of *entrepôt* will then enable us to force our goods through the continent; I do not think this right will be at all beneficial to our commerce. In time of peace it is useless, in time of war it is unprofitable,—so that we have given up this million of money, and the island of Guadaloupe, for that which is worth nothing. Sir, it will be said, that it is a very unusual thing, in either House of Parliament, to interfere with the prerogative of the crown in concluding treaties. I grant that it is unusual, but it is not unprecedented; and even if it were unprecedented, it would be right, on this occasion, to have recourse to such a proceeding, because the treaty, with reference to which we wish to apply this unused power, is itself unprecedented in the annals of diplomacy. I do not mean to go the length of a direct interference.—I do not mean to refuse to the Prince Regent the means of discharging the subsidy which he has stipulated to grant to Sweden—but I will propose to the House, that his Royal Highness shall be enabled, if it must be so, to follow up the treaty he has made.—At the same time that I would advise him to suspend, if he can, consistently with the honour of the crown and the public faith, the execution of that treaty; that he may disengage himself, finally, if possible, from the whole of its stipulations. When we vote the sum proposed to the crown, we enable the Prince Regent, if he thinks proper, to discharge the subsidy; and, when we inform him of the nature of this treaty; when we tell him that we wish, consistently with the public honour and faith, that it should be rejected—we do all which it is in our power to do.—We give his Royal Highness an opportunity of preserving the treaty, if it must be preserved—but we advise him, if it be possible, to relieve himself from its stipulations. He can, I suppose, enter into fresh negociations with Russia, Denmark, and Sweden, on this momentous subject. The treaty is not of such a nature that he cannot proceed further. If this is the meaning of the 7th article, the House ought to look with attention to the situation in which England is placed. That article says—"From the day of the signature of the present treaty, his Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of Sweden, reciprocally promise not to separate their mutual interests, and particularly those of Sweden, which are referred to in the present treaty, in any negociation whatever with their common enemies." If, Sir, the words of this article import an actual guarantee to Sweden, of the possession of Norway, which is to be adhered to under all circumstances—if, when we enter into negociations with the continental powers, we are not even to mention the separation of Norway from Sweden—if such an engagement as this has been made between two powers, before the war is at an end—if no negociations are to be admitted on this point—if no stipulation of other territories, is to be allowed, in lieu of Norway, when the period for treating of a general peace arrives—then, Sir, I am justified in saying, that this improvident treaty is unparalleled in the annals of the world. Here is a stipulation, in express terms, by which it is decided that nothing shall be done in contravention of this particular provision—by which England is bound to guarantee Norway to Sweden. (Lord Castlereagh here motioned dissent.)—The noble lord seems to dissent from this—I wish he had expressed himself in an intelligible manner, for the words of the treaty cannot be mistaken. In that article, what is referred to? The cession of Guadaloupe, and the acquisition of Norway—and we are bound, on no account to stipulate, in any negociation, so as to separate our interests from those of Sweden on these two points. But, Sir, let us see what the effect of this treaty will be in another point of view. Does France derive no advantage from it? Is it not affording her an argument, in justification of her frauds and violences against other European powers, when you give her an opportunity of pointing at England, as having acceded to a treaty conceived in baseness and perfidy?—(Hear, hear.)—Is it not an advantage to France to have it in her power to say to those nations which accuse her of injustice, "I am not worse than England; she engages in treaties with contending powers—she employs her money—she cedes her possessions—she does all this, to further the object of one nation in its robbery of another—while those who commit the robbery, have no ostensible cause for their conduct?" After this treaty, in what respect will our character stand higher in the estimation of the other powers of Europe than the character of France? If this House agrees to the treaty, I maintain that our character will stand in a worse light than that of France, because in France the people, living under a despotic government, must accede to whatever is done by those in power; and it is so in all absolute governments. But, in free governments, where the minister who acts may be called to an account for his conduct, it is in the power of the people to redeem their character, by compelling the minister to recall that which is obnoxious. If, in the present instance, the matter has gone too far to leave it in our power to compel an abandonment of it, at all events, it is not too late to express our opinion on the subject. And, if the House of Commons do not express their sentiments plainly to the Prince Regent, on the occasion, they become partners to the crimes and follies of this treaty. It is one of the great advantages of a free government, that it elevates the character of mankind—fills them with great and noble sentiments—teaches them to carry on war as it should be carried on in civilized states—instructs them in forming treaties with their neighbours, on principles of mutual honour—and takes care to bottom all its proceedings on the foundation of rectitude and probity. But in the present case, the stipulations of this treaty are founded in force and fraud, and they inflict a palpable injustice on an unoffending nation, which has done no injury either to the one party or to the other. I, therefore, entreat the House to pause before they sanction it. Before I sit down, I would draw your attention to the recent state of the continent. Germany, we were told, was about to resist the power of France—an insurrection was certain to take place, if the people were encouraged and protected by a force sufficient for that purpose—Hamburgh and Hesse were to rise—all the small states of Germany were to rise—a holy insurrection was to rescue the German empire. And now, Sir, what must they say to their liberators? to those who called on them to encounter and to provoke the hostility of France? What temptation do they hold out to the German people to act? The transfer of a portion of those very Germans, as a compensation for an unprincipled robbery. What is the protection they receive? The landing of an army of Swedes, at Stralsund, after the allies were defeated. But what was to form the compensation to be given to Denmark? Is it a secret? I presume the noble lord is well acquainted with the fact. It would be curious if he were not. That compensation was not to be taken from any part of the Swedish dominions. It was not to be Hamburgh—it was not to be the Hanse towns, nor any territory around them. I know, Sir, it is said, and many persons believe it, that the compensation was to be derived from that quarter. Now, let us look at what was going on there, at the time of the negociation. Hamburgh was made the very centre of that insurrection which was to free Germany—at the precise moment, when, it is said, we were willing to transfer it as an indemnity to Denmark.—Sir, I cannot believe it. I cannot imagine that this town, which was the heart and soul of the German confederation, was to be made an article of barter, as you would sell one beast for another—I cannot suppose that any intention existed to give it up to the king of Denmark, at the moment that it was shedding its best blood in the cause of Europe.—There is a baseness, a wickedness, a depravity, in such conduct, that is beyond credibility. Sir, the Address, which I shall have the honour to move, is somewhat longer than may be thought necessary; but as it is, in some measure, interfering with the prerogative of the crown, by advising the Prince Regent to disengage himself, if possible, from the stipulations of the treaty, it is the duty of the House to make a representation of some length, to explain the motives by which they are actuated.

This, Sir, I hope, will be received as an apology.

The right hon. gentleman then concluded by moving an Address, which embraced the various topics urged in the course of his speech, and concluded by intreating his Royal Highness, if practicable and consistent with the honour and good faith of the crown, to take such measures as would disengage him from the stipulations with which he had been advised to enter into the Treaty with Sweden.

Mr. *Wynn* seconded the Amendment.

Lord *Castlereagh* said, the course which the right hon. gentleman had felt it his duty to take on this occasion, with respect to the mode of bringing forward the subject under the consideration of the House, was one unusual in parliament, though it was one which adequate circumstances might justify; but it was something more than unusual to pronounce an unfounded judgment, not only on the ministers of the crown, but on the allies of this country, before an opportunity had been given to the former to submit to the House that explanation which they were ready to offer. He thought it required the peculiar view of the subject, taken by the right hon. gentleman, to justify the adoption of such a course, before the minister had called for the supply required. The right hon. gentleman said he was not disposed to stand between the crown and the execution of the Treaty as far as related to money, but he was prepared at once to degrade the ministers by whom it had been concluded, and to degrade the powers who were parties to it. He would put it to the right hon. gentleman if this was pursuing a course very amicable towards the emperor of Russia and the king of Sweden? The unusual course he (Mr. P.) had taken, placed him (lord C.) in a situation, which, without the special indulgence of the House, would be most painful, as it imposed upon him the task of attempting that explanation of the circumstances connected with the Treaty, the detail of which he had only expected to be called upon to give in the committee, as explanation might be required. He was certainly extremely astonished at the language held by the right hon. gentleman when speaking of the treaty, as when he had first called the attention of the House to this subject, he had made use of no such words as "atrocious stipulations," when speaking of that part of it which related to Norway; and he had understood him to be of opinion, that there was nothing immoral in the conduct of this country, seeing that we were at war with Denmark, in turning her arms against any part of that kingdom, not merely for our own advantage, but also for the advantage of those who might be united with us in alliance. He had believed it was the intention of the right hon. gentleman to bring it forward only for the purpose of arraigning its policy. Saying this, however, he by no means meant to give up the political morality of the treaty, which, on the contrary, he was fully prepared to defend, but he had understood the right hon. gentleman to say, the engagements entered into with Norway were not to be questioned on that ground, but on the policy by which they had been dictated. He declined entering on the present occasion into the late negociations with Denmark. These, if the issue of them had been to unite Denmark with the allies, would not have justified the treaty, if it were not justified by the circumstances of the time, or antecedent to the time at which it was concluded. That which had subsequently occurred could not affect it, as, if it were not justified by the circumstances of the 3d of March, it could not be successfully defended at all. On this ground, he (lord C.) had refused the papers called for by the right hon. gentleman, and on this ground he should have opposed the production of papers relative to the negociations with Sweden; feeling as he did, that nothing was so injurious to this country in the eyes of foreign nations, as the premature production of such documents—(Hear, hear!) and, in his opinion, to grant such merely to vindicate individuals, was a line of conduct most unworthy and unjustifiable. If, however, the right hon. gentleman had called for papers relating to Sweden, though he should have opposed their production, he should have understood why they were asked. They might in some measure bear on the subject. Those called for respecting Denmark could not. He could not but feel that he owed some explanation to the House, on the subject of a treaty being concluded with any foreign power, and considerable advances made on that treaty, parliament being sitting, without making any communication to them respecting it. He apologised for this, and hoped the House would be satisfied when he had stated the cause of it. The ratifications of the treaty, through certain fatalities which attend our communication with the North, were not received till the 10th of May. He should have felt it his duty immediately to advise the Prince Regent to communicate it to parliament, had he not thought nothing could have been more unsatisfactory to them, or injurious to the negociations then going on, than to have this treaty discussed at that time while negociations with Denmark were going on. These negotiations continued pending for some time, and he did not know the final result, till the evening of the day on which the House broke up for the Whitsun holidays; and he believed he had presented the treaty to the House on the first day but one after the recess. If the stipulation for bringing Sweden on the continent was worth any thing, he thought it would be admitted that its armies ought not to have been suffered to remain inactive for want of means. Assistance from this country was indispensable to prevent this; and one month's proportion of the subsidy, 200,000*l.* had therefore been advanced. The delay which had taken place in conveying the Swedish troops to the continent, was in no part attributable to the Swedish government. The troops had been got ready before the English government had a right to expect they could be got ready, and they had crossed over to Stralsund sooner than it had been calculated they could reach that place. The delay which had occurred, did not rest with Sweden, it had been occasioned by their waiting for English transports, and for this delay the Transport Board were so far from feeling themselves answerable; that the transports had actually sailed from Gottenburgh three weeks sooner than they would take upon themselves to answer for their sailing; but the wind had been so unfavourable, that it had taken them five weeks to get round from Gottenburgh to Carlscrona, where the Swedish troops were waiting for them. In examining the present treaty, he did not know that he was bound, under all circumstances, to justify engagements entered into between Russia and Sweden; and even though exceptions might be made to their propriety (he did not say such were to be made in the present instance, that he should come to presently), yet if such exceptions were to be taken, still at the period at which England had acceded to the treaty, her conduct might be perfectly justifiable and wise. He, however, did not condemn the part which the allies had taken; he would contend that their conduct was justified by the necessity of the case, and no part of the speech of the right hon. gentleman had given him so much pain, and appeared to him more unwise from one who wished to see this country get well through her difficulties (as he was satisfied the right hon. gentleman did), than that where he had run direct at the allies, and condemned their conduct, without waiting for that explanation which could be afforded. The right hon. gentleman had particularly commented on the engagements between Russia and Sweden having been entered into in March, 1812, and acceded to by England in March, 1813. If the House would permit him, he would recall to their recollection what had been the state of things at the period when Russia and Sweden entered into the treaty alluded to. It was concluded just on the eve of the approach of the French armies to Russia. Buonaparté, it was true, had not left Paris, but it was not concluded before his perfidy (perfidy unparalleled in the history of the world) was manifest to all. It was no secret for what the great armies he had collected in the neighbourhood were assembled; and his great grievance—his chief cause of complaint against Sweden and Russia was, that being at war with England, they did not push their hostility to the greatest possible extent in order to effect the ruin of this country. This was the ostensible cause of the war, but he (lord Castlereagh) believed that Buonaparté's tarnished reputation in Spain had in no small degree urged him on to seek compensation in the North, for the defeats his armies had sustained in the peninsula. He however demanded of Russia and Sweden, that they should abstain from all intercourse with England, and adhere with the utmost strictness to what was called the continental system, at the very moment when he (Buonaparté) was relaxing it for himself, for his own benefit and enjoyment. In pursuance of the plan he had formed he invaded Swedish Pomerania, but intimated to Sweden, that if she would assist him to conquer Russia, by attacking her with 40,000 men on the side of Finland, he would give Finland to her, and in every thing else support the interests of Sweden. What then was the situation of these two powers? He thought the House must feel, that if Russia had not been enabled to secure herself against an attack on the side of Finland, while Buonaparté led his armies against her on the Vistula, she must have so divided her forces, as to make herself wholly incompetent to meet the arms of France—successfully to withstand the mighty shock. He thought the individuals forming the Swedish government, in the circumstances of that country, having lately lost Finland, were bound well to consider on what grounds of policy they should refuse to accede to the propositions of France. He held a vain anxiety for territorial acquisition to be an unworthy feeling; but contended that Sweden had a right to look for military security on the side of Norway. If they looked to 1808, they would see that France, to force Sweden to come into the continental system, had compelled Denmark to go to war with Sweden, and to threaten her with an invasion from Norway. Such was the means taken by France to coerce Sweden to conform to her measures and submit to her decrees. He would ask the right hon. gentleman then, if the assistance of the Swedes was of any importance to Germany, how could they go there without first obtaining security on the side of Norway? He could not see how they could go without. The affairs of Europe had been so changed, that Denmark, whatever she was formerly, could not be independent. She must bend to the influence of France, and feeling this, the most rational course which Sweden could pursue, was to endeavour to exclude French influence from all the northern shores of the Baltic. He now came to state what had been the effects produced by the friendly disposition of Sweden on the last campaign. The Russian army of Finland regularly amounted to eighteen thousand men. What then would have been the consequence, had Sweden, with her increased military force (for since that individual, who now principally ruled her councils, had been made her Crown Prince, a great increase had been made in this respect; and as a military power she was now very different from what she had been) what would have been the consequence had she closed with the overtures of Buonaparté, and gone over to him? Could Russia have done what she had done if Sweden had acted thus? If Sweden had not been embarked with Russia, she might have marched her armies to the frontier, and kept that Russian force of eighteen thousand men occupied in Finland, which her friendship released and sent to the theatre of war, where they fought under general Wittgenstein. If Sweden had acted differently, the issue of the last campaign would not have been such as it was. Had Sweden acted an ungenerous part, the victories of general Wittgenstein on the Dwina would never have taken place, as by means of the troops thus sent to his aid the actions in which he was engaged were determined; and the retreat of the French from Moscow was rendered much more disastrous than it would otherwise have been. But for the close and intimate alliance of Sweden, Russia could not so successfully have repelled the enemy; the retreat of Moscow might have been destructive; but not so destructive as it had been, had Sweden given her weight on the other side, instead of thus contributing to the successes of Wittgenstein. From the character which belonged to Denmark, from her conduct in 1808, when she actually declared war against Sweden in obedience to the mandate of France, it was impossible Sweden could be safe without excluding French influence from the Northern shores of the Baltic. It was for the Swedish government to determine to close with France to get Finland restored, or to resolve to stand or fall with Russia. Uniting with Russia it was necessarily their policy to exclude French influence from the North, and not to calculate on what might be the timid policy of Denmark. Russia, he contended, had a legitimate cause of war with Denmark if she had thought proper to act upon it; at the time the treaty was concluded between her and Sweden. At the period to which he alluded, so predominant, so terribly predominant, was the power of France in Europe, that its greatest military powers were constrained to march their armies as auxiliaries to assist in the subjugation of Russia. Denmark was called upon to assist in this undertaking; and though she could not send an army into the field, to unite with the French armies, she was obliged to furnish her contingent accommodation. She agreed to line the shores of the Baltic with her troops, to complete the destruction of Russia, and the exact spot was pointed out which they were to occupy. They were to occupy the duchy of Oldenburgh, a place which was almost Russian, and which, if not actually Russian, was so connected with Russian families and Russian interests, that Russia had a just cause of war with Denmark on this point, if she had thought proper to act upon it. Sweden did not want a cause for war. Her conduct was justified by the necessity of the case. To preserve every thing dear in Europe, it was necessary to exclude French influence from the northern shores of the Baltic. This effected, Sweden could be independent if she chose: and she did choose to be so, and, he trusted, had already made considerable advances towards independence. He came now to speak of the part which this country had taken. The treaty entered into by Sweden and Russia was communicated to the English government in July last year. Had not the war exploded in the North, it was probable they would never have been acquainted with its stipulations, and it was also probable they would never have been acted upon. Had not such a war broke out, it was likely they would have been considered as having been entered into for their mutual conservation, and as that which was not to be resorted to in times of safety. The English government received strong representations from both the Russian and Swedish governments, claiming their accession to the treaty, and desiring to know if England would embark with Russia and Sweden in the plan which they had formed. The answer of our government to this had been, " they could see nothing that merited reproach in the conduct of the governments of Russia and Sweden. That they were justified by the necessity of the case, that they would act with them, and give what assistance they could to the parties." They, however, had declined becoming a party to the treaty, unless entering into such an engagement they could do something for the common cause of Europe. The Russian armies were at that time retiring, and felt the necessity of making a demonstration in Germany, to prevent the whole mass of the French armies falling on them at once. The English government proposed to the Swedish government to effect this, and offered in that case not only to accede to the treaty in the qualified manner in which she had done, but to become a party to it, and to assist Sweden with a subsidy. Sweden, though she had required the cession of Norway as a preliminary, had relaxed in her demands, so far that it had been hoped Denmark would be induced to join the league against France. Ministers, pressed as they had been by Russia to conclude the arrangement with Sweden, had found Sweden desirous of giving effect to the wishes of Russia, but the obstacles which had stood in the way, not only justified the conduct of Sweden, but made it impossible for her to exert herself more than she had done in opposition to France. The armament which Sweden had prepared in the last campaign, had such an effect on Buonaparté, that he had kept two corps d'armee to watch it, between the Vistula and the Danish territories, the one at Stralsund, the other at Konigsburgh, and thus no fewer than 60,000 French troops were kept in Germany, which would otherwise have marched into Russia. It was not till the season was very far advanced, that Buonaparté ventured to move one of these corps; and when it at length marched into Russia, it did not join the French army till after the battle of Borodino. Sweden had therefore not only essentially served the cause, but had contributed largely to the salvation of the Russian empire. No military man could do other than approve of the conduct of Sweden in the last campaign. If the English government had done other than assent to the treaty concluded between Russia and Sweden, it would have shook the whole alliance of the North, and a relaxation in their efforts would have taken place, instead of the most united exertions ever made in the history of war. In the last campaign, the English government refused to advance the subsidy which Sweden required. The language then held was, " We cannot withdraw any portion of the resources of this country from the allies of England, who are now actually in the field to assist you, but from the moment, when you can convey yourselves to the continent, you will be on a par with those who are already fighting the common enemy, and that assistance which we can afford we will. You know the principle on which we act; that complied with, we shall be happy to give you any aid in our power." In the month of February, a new representation on the subject of Sweden was received from Russia.—In justice to Russia he felt it right to state, that her conduct had in no instance been selfish. Never had any country engaged in so mighty a struggle pressed so little on an ally for pecuniary aid. It was not till she was pressed on her own frontier, that her representations were strong on the subject of Sweden. A country placed in her situation, to guard against a recurrence of the necessity for making so great an effort for her salvation, was justified in calling on all connected with her for the greatest aids they could supply. She stated herself to be ready to call forth her resources to the utmost, to try to rescue Prussia from the situation to which she had been reduced; but it was stated with much military intelligence, that she was fearful that when the French army retired on the Prussian fortresses, and particularly on the line of the Oder, that unless a military diversion were made in her favour, she might not be able to force the French line. This diversion she wished us to prevail on Sweden to furnish. Sweden in the last campaign had refused to put herself in the rear of an army of 350,000 men, the best soldiers in Europe. It was now represented to her, that acting in the rear of the French she would be in a different situation, as she would act against a force reduced in numbers, reduced in efficiency, and above all reduced in military reputation. To place herself in this situation, however, was to risk great peril; and agreeing to do it, she required of England to endeavour to confine the Danish force at present in Zealand to that island, to give a subsidy, and then mentioned what had been brought forward before, her wish to possess an island in the West Indies. In gratifying her in this respect, by giving her the island of Guadaloupe, we did not bind ourselves to secure it to her for ever. Except by offering our good offices with France, we could not secure it to her on the return of peace. The cession of this island was of great advantage to Sweden, but an advantage equally great was obtained by England; for nothing was more important to England, than to give other nations an interest in struggling with her for the conservation of the liberties of the world. Two objects were gained by this cession: in the first instance we gave Sweden a natural interest to be friendly with this country, and in the second we gave her a particular interest in opposing the projects of France. He felt it quite unnecessary to offer any apology for this part of the treaty. After the great military discussions that had taken place, in which an officer who had again left this country (general Hope) had taken a distinguished part, and displayed great ability as to the mode in which the operation of Sweden could be most useful to the common cause, Sweden had determined on acting a most gallant part. Her object was to give the Russians the power of advancing further into Germany than they could otherwise have done. After the calamity which befel the French army, which was of the greatest magnitude, as diseases thinned their ranks when the sword had ceased to destroy, and reduced their once grand army to a mere wreck, they were unable to take up the line of the Oder, and the Russians were enabled to penetrate this grand military barrier, without assistance from Sweden; but the House would see that the proposed aid of Sweden might have been most important. He hoped the House would not think what had been given to obtain such co-operation had been unwisely conceded. What had been given had been given with a view to secure some great advantage to the common cause, but in all the arrangements which had taken place, an eye had been had to the possibility of detaching Denmark from the interest of the common enemy. Of this, however, sanguine hopes could not be entertained, as Denmark was a power which had always been in the habit of seeking safety in submission to France. A knowledge of this ought to save Sweden from reproach, as it must be remembered that she had been exposed to invasion through it, and that sir J. Moore with 10,000 men had been sent to Sweden, to co-operate with the Swedes in repelling an attack from that point. Still, however, the possibility of detaching Denmark from France, had been kept in view by the British government, and modifications had been proposed to Sweden with respect to Norway, to as great an extent as the right hon. gentleman opposite could wish. Sweden had intimated to Denmark, that she was ready to discuss with her the point in question. Denmark had been apprized of the engagements of England. He (lord C.) had particularly instructed Mr. Thornton to state these to the Danish ambassador at Stockholm, that his government might not be kept in the dark on this subject. Sweden had manifested a disposition to relax as far as she could. (What relaxation did she make? was asked by Mr. Ponsonby.) He (lord C.) would tell the right hon. gentleman. The great stumbling block in the way was not the cession of Norway for an equivalent, but the cession of it as a preliminary as required by Sweden was the great obstacle. The right hon. gentleman seemed quite provoked at the mention of an equivalent, but when had a treaty of peace been concluded of late years without equivalents? The doctrine of equivalents threw no difficulty in the way, but the difficulty arose from Norway being required as a preliminary, absolute, and not contingent. Sweden, however, had so far relaxed as to say, "though I feel the whole of Norway necessary to my security; yet if the power of France be diminished, I will be content with the bishoprick of Drontheim." Sweden in making this proposition, was not actuated by a sordid desire of acquiring territory, for she intimated that she was not indisposed to alienate Pomerania. If Denmark, from a feeling that her honour was affected by the cession of the crown of Norway, raised a difficulty on that account, Sweden was ready to enter into her feelings, and say, "this shall be arranged at the conclusion of a general peace, and I will leave it to Denmark to take Norway, or the equivalent tendered, with an understanding that she will not refuse to cede to me Drontheim if she prefer Norway." Sweden, he contended, was actuated by no base and sordid motive. In the first campaign she had sacrificed her own objects to the common cause, in this she had raised her auxiliary force from 15 to 35,000 men. He felt it a duty to protect her character and repel the unfounded attack which had been made upon her and Russia. He noticed and lamented the fall of Hamburgh, but observed, the government had at least the satisfaction of knowing they had excited no false hopes. They had promised no aid which they had not afforded—they had done all that had been required of them in sending arms. He explained the conduct of the Swedes at Hamburgh much to their credit. When but 12,000 men had landed there, they were fearful of placing themselves between the French and the Danes in the situation in which Sweden and Denmark had stood with respect to each other. The Swedish commander however, with the feelings of a brave soldier, imprudently (as it had been thought) advanced to the assistance of Hamburgh, and had ultimately been obliged to retire by night to avoid being cut off with his corps, a conjoint movement having been made by the French and Danes for that purpose. A great disposition existed to believe that no obstacle had existed to the union of Denmark with the allies but Norway. The right hon. gentleman had said the Danes had been committed against the French in Hamburgh. The acts of the soldiers he would observe might not be the acts of their government, any more than were the acts of the Saxons, who were at one time seen assisting the Prussians in besieging the French in the fortresses, and at another fighting against the allies. No rational conclusion was to be drawn from this, any more than from the conduct of the king of Saxony, who was seen one day flying to Austria for protection against France, and the next flying from Austria into the arms of Buonaparté. It was not clear that what had taken place at Hamburgh was authorised by the Danish government. Buonaparté did not appear to view it in that light. He did not assume from that that the government of Denmark was alienated from him. This was plain from his conduct: for on the 16th May, count Bubna arrived at his head-quarters with certain propositions from the court of Austria. He returned on the 17th with an answer from Buonaparté, stating he was ready to agree to a congress being held at Prague, where all the great powers should be represented. He enumerated those for and those against him, and it might have been expected, that if he had not known Bernstorff was charged with propositions to which England could not accede, he would at any rate (knowing what had taken place at Hamburgh, and knowing that Bernstorff was in London), have omitted the name of Denmark among his allies, as he did that of Austria. Instead of doing this, however, Denmark was placed the second on the list, being only preceded by the United States of America. This, too, at a time when it was impossible for him to have been informed of the British ambassador's return. He believed Denmark, though at heart no friend to France, was at present afraid to risk offending Buonaparté. The first proposition made from Denmark to this country, was on the 25th of February; the basis offered was, that we should make a separate treaty, and if we acceded to this, that we should surrender all our conquests without receiving an equivalent, make complete restitution of her fleet, and indemnity for its seizure. We were thus to go down upon our knees to Denmark, give up all we have gained, and make atonement in every respect. Did these propositions seem dictated by a sincere desire for peace with England? His sincere belief was, that the object of Denmark had been merely to gain time. Our answer therefore was, that we could only view her proposition as indicative of a disposition to change her policy, and that six weeks before full instructions had been given to Mr. Thornton (who was then at Stockholm), to treat with Denmark, so that negociations could be entered into with him without loss of time. Denmark would not negociate with Sweden, and her first proposition was, that we should violate the engagements we had entered into with Russia and Sweden, by entering into a separate treaty with her. The propositions were so intolerably insulting, that it was difficult to listen to them with temper. By way of preface, she demanded, that we should violate our engagements with our allies; and then she demanded, that we should surrender all our conquests gratuitously—surrender her fleet—make compensation, and guarantee the integrity of the whole of her dominions, but more especially of Norway, which she knew we had engaged to assist Sweden to obtain. He offered this explanation to vindicate the allies from the very unjust, imprudent, and severe imputations which had been thrown on them. Some jealousy seemed felt, with respect to the individual who had become the Crown Prince of Sweden. It was a bold thing to answer for the conduct of any man in so high a situation, but with respect to this individual they had some means of judging of his character. He (lord Castlereagh) had never heard any thing of him which was not honourable to him as a man, and which did not tend to establish the integrity and purity of his character. He had never heard of his conduct in any country into which he had formerly carried the arms of France, which was not eminently advantageous to his personal character. For a considerable time he had exercised the highest office in Sweden, with the greatest justice and lenity, and without any view to his own emolument. It was natural for him to have felt attachment to France, but when the conduct of France went to overturn the whole system of things where he was, he fairly told Buonaparté, that he (Bernadotte) must act for the interest of the country which had adopted him. He came to Sweden with attachments to France, but he did not come to betray her. When the tyranny of France was carried so far that resistance was necessary, he did not hesitate to oppose Buonaparté, and that too at a moment which was the last he would have chosen to do so, had he not been a bold man,—that at which flushed with success, the ruler of France threatened to overwhelm Russia. He had acted faithfully and honourably up to the present time, and he (Lord C.) would not be the man to augur that he would now depart from that line of conduct. He hoped the House would not hesitate to reject the address of the right hon. gentleman, as the allegations it contained were unfounded. It went to cast such a censure on the conduct of ministers, that if it were agreed to, it was impossible they could retain their situations. If they could be content to remain in office after such a censure were passed upon them, they would prove themselves wholly unworthy the confidence of the country. He objected to the address as casting an unmerited stigma on the treaty, as unjustly condemning the conduct of his Majesty's ministers, but above all he objected to it (and in this he trusted the House would feel as he did), for the language it held respecting our allies, for the unwarrantable aspersions it went to cast on the conduct of Sweden and Russia. He trusted he had shown that the allegations contained in it were unfounded, and it was scarcely necessary to add, that if the censure which it involved upon ministers were just, they not only must be considered as unfit any longer to conduct the administration of the government, but must be sent condemned and disgraced to the allies to revoke those conditions which they had so recently recommended as wise, politic, and conducive to the promotion of those great and common interests for which they were united. He hoped he was not too sanguine in presuming, after the statement which he had made, that such would not be the decision of the House.

Mr. *Canning* said, that the nature of the subject, and the situation which he had formerly the honour to hold, made it natural for him to wish to give his opinion to the House upon the present question. He could not avoid troubling them with some observations upon the topics with which the noble lord concluded his speech, although he must say, that he did not seek subjects of conflict with him. Indeed he was the more disinclined from seeking for subjects of personal controversy with the noble lord, from the frank, manly, and useful co-operation which he had received from him, in a cause (the Catholic Question) which was nearest to his heart. He must say, however, that his first feeling upon reading this treaty, was a feeling which he believed most persons entertained on the first reading of it,—a sense of shame, regret, and indignation. The explanations which the noble lord had given, had much diminished this feeling, without altogether removing it in substance. The House was to consider whether the interests and honour of the country had been sufficiently guarded in those documents which were before them, and in those stipulations which had been embodied in a treaty that was now before all the powers of Europe, and which must go forth to the world unaccompanied by the explanations of the noble lord: and posterity, in examining its features, would look to what appeared on the face of it, as that House was bound to do. We were certainly bound to look attentively to the situation of the other powers of Europe, for it was only by a combination of those powers we should be able to work out our own and their deliverance from the evils with which Europe was now surrounded. If in giving their opinion of the nature of the engagements acceded to, the House should feel it their duty to pass a strong condemnation on this treaty of accession, they would not, on the one hand, travel out of the question before them to consider of the engagements between Russia and Sweden, neither should they, on the other hand, be so fastidious as to decline examining the conduct of their own government, because it was connected with engagements which other powers had first entered into, and to which they had only acceded. In the treaty between Russia and Sweden (to which our government had acceded) there were many ambiguities which he should wish to hear explained. The noble lord had alluded to projects of hostility having been formed against Norway, when he (Mr. Canning) was in office. It was true such projects were formed, but they were formed on the principle that Denmark was an enemy to this country, and that, therefore, we had a right to form hostile projects against her. He perceived, however, a very wide difference between a military expedition against a province belonging to a country that we were at war with, and a stipulation about what was to be the permanent state of that province after peace should be concluded. If there was any principle in the conduct of France which we inveighed against more than another, as a violation of the common law of nations, it was that of premature annexations of territory, and of pretending to settle the future fate of countries that had not been ceded to her by any treaty. It was a principle laid down by all the writers on the law of nations, that territories acquired in war could not be transferred before a peace; and that conquests by the sword required the adjudication of treaties to confer upon them a valid title. In the engagements now entered into, it was not merely the military occupation of Norway which was to be given to Sweden, but the permanent possession of it was to be guaranteed. This was what our state of war with Denmark gave us no power to do. If, indeed, Norway had of itself shewn a disposition to separate itself from Denmark by its own act, and to unite itself to Sweden, then he would allow that it would not be inconsistent with the law of nations to recognise such an act; but he thought it was inconsistent with the established law of nations to add Norway, against her will, to the dominion of another power. As to the origin of the war with Denmark, he should refer to every thing which had passed before that House and the public, whether that measure had not always been justified, at the time, upon the ground of paramount necessity; and whether it had not been most expressly stated, that the hostility which necessity had created should be confined and limited by that necessity. It had been always asserted that such hostility ought not to be pushed beyond the measure of necessity. If, however, the origin of the war with Denmark was minutely enquired into, and it were asked, why did we go to war with Denmark,—the answer would be, that it was in consequence of engagements to which Russia had been a party. If we were to ask, why an indemnity must be found for Finland,—the answer was, that Russia had wrested that province from Sweden, and would not give it up. This consideration should have made us hesitate in acceding to engagements for dismembering Denmark. He was willing to allow that the Crown Prince of Sweden had very generously abstained from calling for the force which Russia had engaged to furnish him with, for the conquest of Norway: and that by this abstinence on his part, and his determination not to give Russia any trouble in Finland, he did allow a great body of Russian troops to be free and disposable, and in this manner rendered an important service to the common cause. If Sweden set up a claim of remuneration for those services, he did not dispute the claim; but only meant to say, that we should not have paid it in that way. He could not see, however, how the plea which Sweden had first set up was borne out by the fact. At first it was stated that Sweden could not co-operate on the continent, for fear of Norway. Although this was the very foundation of the treaty between Russia and Sweden, it now appeared that Sweden could co-operate on the continent without apprehending any danger from Norway, (Hear.) As to the second article of our treaty (although the word guarantee was not expressly mentioned) yet he conceived it to amount to a guarantee. If it had been intended not to guarantee, that should have been expressly mentioned. As to the co-operation which was stipulated, in order to give Sweden military possession of Norway, he saw no objection at all to that in point of principle, if there was to be no guarantee of the permanent possession of it. The only objection which he could see to this would be the diversion of so considerable a part of our naval force, at a time when it might be so much wanting in other quarters. If, however, there was no guarantee of the permanent possession of Norway, he must allow that his principal objection was removed. He did not think it necessary to argue on the propositions which Denmark made to us, but he wished to know whether any propositions were ever made by us to Denmark, by which any option was left to her of ceding Norway or not? He understood that this cession was a *sine qua non,* and that Denmark had no option but either to cede Norway with good will, or have it taken from her by force. He wished also to know if on acceding to the treaty it was understood that we were to lend our aid to a military operation, and not to a guarantee. The principal article of our treaty obliged the king of Sweden to furnish a force of 30,000 men for a direct operation on the continent, in conjunction with a stipulated force to be furnished by Russia. Now if the Crown Prince performed his part of the agreement, but Russia did not send the stipulated force to join him, would he not in that case be fully entitled to every thing we had engaged to do for him, even although he had not struck a single stroke against the enemy? If the treaty was tripartite, then the failure of one of the parties exonerated the other two; but in this treaty with Sweden, if Russia did not give the force that she engaged to give, was not the Crown Prince still entitled to all the benefits of his engagements with this country? In former negociations for peace with France, we declared, that we only looked to the restoration of Europe, and that to purchase the restoration of her ancient states, we were willing, from the lap of victory, to give up what we had conquered by our arms. If there were now a negociation for peace, Great Britain could no longer speak of the re-establishment of the ancient states of Europe, if she was pledged to the dismemberment of one of the most ancient. He would wish to know, whether, if the present armistice should put an end to the possibility of any operations of the Crown Prince in Germany, would this country be still bound by its engagements to assist him in the scheme of conquering Norway? If, however, he was told that what we had promised was limited to the continental war, his great objection would be done away, and he would only say he was sorry the matter could have been so misunderstood. With respect to Guadaloupe, he agreed that the reasoning of the noble lord was good on the subject of general commerce, and if a compensation for services, this island might be as cheap a mode of remunerating Sweden for the service which she had undertaken to perform, as any other. He had, however, the same objection, in point of principle, to transferring during a war a conquest to which we had acquired no right by treaty. This, according to Vattel and the other writers, was contrary to the law of nations. It might be said, that while he was in administration, it was also in contemplation to cede a conquered colony to Sweden. It was true that such was the case, but it was a Dutch colony, the colony of a power that had ceased to exist. Even then, however, he had stated that it could not be done during war, and that the only engagement Britain could enter into, was to do her utmost to obtain it for that power at the conclusion of a peace. To do otherwise was contrary to the law of nations; and he objected to it, not on the score of immorality, but as putting an obstacle in the way of peace. Guadaloupe could not enable Sweden to make a greater stand on the continent: and without wishing to express an illiberal opinion, he would say, that England had experienced enough to teach her not to put out of her hands that which would enable her to secure continued co-operation. By ceding this island, we would have to pay the enemy dear in making peace, and from coming to the market with fewer compensations to offer, we would be the less able to make our arrangements for Spain, Sicily, and the East Indies, especially considering that, after last war, Ceylon and the Cape of Good Hope were the only equivalents we could obtain from France. His great objection was not to the assisting Sweden to gain military possession of Norway, nor to the cession of a colony to her as the price of her active co-operation in the continental war; but to the principle of guaranteeing what we had no right to guarantee, the permanent possession of that to which the right had not been established by treaty. The right hon. gentleman then offered a few remarks on the mode in which the sense of parliament could be taken on a subject of this description: and concluded by condemning a part of the conduct of ministers; but stating at the same time that he could not think it right to record that portion of the right hon. gentleman's amendment which in a complicated manner referred to the actions of our allies.

Lord *Castlereagh* replied, that as to the doubt upon which the right hon. gentleman laid the greatest stress,—whether the engagement did or did not amount to a guarantee, he was surprised that such a doubt should enter into a mind so well disciplined in diplomatic matters as that of the right hon. gentleman. He could assure him, however, that no such doubt was in the mind of the Swedish government, as the question of guarantee or not guarantee had been fully discussed in the negociation, and this government had expressly refused to guarantee. (Hear, hear.) Russia indeed, had engaged with Sweden not only to furnish an army to assist in the occupation of Norway, but also to guarantee the possession of it. As to Guadaloupe, we were to give it up to Sweden, but we did not guarantee the permanent possession of it. The king of Sweden was only put in the shoes of his Majesty; the island was to be ceded to him; and although we hoped that he might retain it, there was no guarantee. It was natural, however, to suppose, that two powers who fought together would treat together, and that each would be anxious to obtain for its ally the best terms that circumstances would admit of. We were bound not to oppose the conquest of Norway, but to exert ourselves for the common interest. With regard to the waver of Norway, it had been made by general Hope, Mr. Thornton, and a Swedish minister, with full powers and officially enabled to come to a conclusive arrangement on that point. As to the Crown Prince venturing a co-operation on the continent now, which he thought dangerous last year, it must be supposed that after the event of the last campaign, he did not apprehend the influence of France over Denmark to be so great this year as it was at that period.

Mr. *Whitbread* said he had not, in the worst times of the French Revolution, heard arguments more hostile to good government, than those which had fallen from the right hon. gentleman this evening. As well might France say that Ireland was disaffected from the government of this country, and that, therefore, she was warranted in endeavouring to effect the junction of that country to Spain, as we were warranted in saying that Norway was not well affected to Denmark, and, therefore, that we were entitled to enter into a treaty to separate her from Denmark, and to render her subject to Sweden. He had come down to the House, full of all those prejudices against the treaty which it was naturally calculated to produce; and though the noble lord (Castlereagh) had made what he might call an exceedingly good speech, he had not taken the sting out of it, nor enabled him (Mr. Whitbread) to say that he did not still condemn the treaty. We had now been at war for twenty years, in the struggle in which we were now engaged, and in this struggle we had acted various parts, and the part we were now acting was at variance with all our former professions. He then took a short view of the conduct of Russia in possessing herself of Finland. Taking advantage of the imbecility of Sweden, she had conducted herself in the basest manner towards that government, to which, imbecile and insane as it was, the ministers of that day consigned a great armament. Russia was not willing to atone: and her stipulation with Sweden was one of mere barter: "we keep Finland, and give you Norway." If Russia would have restored Finland to Sweden, would there have been a single question about Norway? We had seen Russia, without complaint or remonstrance on our part, in the basest manner, deprive Sweden, whom we now jointly pretended to regard as a friend, of her territory.—

The time had now come that Russia was afraid of the encroachments of France—it then became necessary for her to endeavour to make a friend of Sweden; but to do so, she did not say that she would restore to Sweden Finland, but that she would assist Sweden in wresting Norway from Denmark. The noble lord had spoken tauntingly and slightingly of the Danes, of whose injuries the hon. member could never think without the deepest regret; but we had often measured our strength with them, and even lord Nelson acknowledged that there were no harder battles fought than those in which the Danes were engaged. The attack upon Copenhagen had been defended on the plea of the secret article of the treaty of Tilsit, and yet the armament there employed had sailed six days before the nature of that secret article was known. It was to be observed, too, that Denmark must feel more indignant against this country than against any other power in Europe. The count Bernstorff, in the late negociations, had demanded the restitution of the Danish fleet, and who, when this was refused, was the colleague of the noble lord opposite, but lord Sidmouth, who had declared by a motion, recorded in the House of Lords, that it was his opinion, that they ought to be returned as an act of justice; and that to effect the pacification of Europe, without first doing it, would be most unjustifiable. Yet this was stated to be an insulting proposition when made to the present ministers! They then objected to the proposition that Norway should be guaranteed to Denmark; but did the noble lord think that more unreasonable than it would have been in him, in a similar case where England was a party, and where he was her minister, to have stipulated that Ireland should be guaranteed to this country. He conceived the present treaty to be a most unworthy act of diplomacy. It had been said that, after all, Sweden was not able to stir a step in the common cause; but he had just read an official bulletin, without date, importing that the Swedes had entered Brunswick; was it true? [Lord Castlereagh said, he did not know to what the hon. gentleman alluded.] Mr. Whitbread then read the news from an evening paper, which said, after stating that the allies had beaten the French at Halberstadt, taken 14 pieces of cannon, and entered Brunswick, that lieutenant general Tettenborn had put himself in communication with the Swedes, and that he had 10,000 men under his orders. [Lord Castlereagh said that the Swedes were not engaged in this victory.] So then, (said Mr. Whitbread) there were no Swedes engaged in point of fact, and this bulletin was perhaps only issued for the purposes of to-night's debate. The hon. member would not detain the House longer than to observe upon the noble lord's panegyric upon the Prince Royal of Sweden. That nation had followed an example set by this country, of sending from the throne a being unfit by folly and mismanagement to reign, by a revolution without bloodshed or the disturbance of property; and he was happy to find that the founder of the new dynasty in Sweden was a man of so mild a disposition, and one who "bore his faculties so meekly." The noble lord could form no expectations of what any crowned head could do, but in the praises of Bernadotte, he spoke with perfect confidence. He was happy to hear the person alluded to was so deserving of commendation; but he would rather not have seen him a party to such a treaty as the present, to which he (Mr. Whitbread) could not give his support.

Mr. *Canning* rose to move as an amendment, that while the House assured his royal highness the Prince Regent that they would without delay take his most gracious message into consideration, they must request of his Royal Highness to cause inquiry to be made as to the nature of our engagements with Sweden, relating to the conquest of Norway, in the event of the return of peace.

The *Speaker* said the amendment already before the House must be disposed of.

Mr. *Ponsonby* continued of opinion, that nothing could make amends to the character of this country for the adoption of such a treaty as the present.

The House divided on the original motion.—For the Motion 115; For the Amendment 224; Majority against Mr. Ponsonby's motion—109.

The House again divided on Mr. Canning's Amendment.—For the original Amendment 225; For Mr. Canning's Amendment 121; Majority in favour of the original Amendment—104.

The House then went into a committee, when the vote was agreed to, and the Report ordered to be received on Monday.

HOUSE OF LORDS.

Monday, June 21.

Loan Bill.] On the motion for the third reading of this Bill,

The Earl of *Lauderdale* could not permit it to pass their lordships' House, without making one remark upon the interest which was attached to this loan of twenty seven millions. He had observed, that taking the average interest of loans for a series of years, the interest of this exceeded all former ones, he believed, by 10*s.* per cent. This was a subject well deserving serious consideration; for if so great an increase took place this year, what might not be the consequences of such increases in future years. He should have expected that the noble earl would have explained the cause of this alteration, in the terms of contract; still it was not his intention to say, that this loan could be procured on better terms; for in fact they were better than, from all circumstances considered, he should have thought ministers would have obtained.

The Earl of *Liverpool* did not intend to say much in explanation of the subject, to which the noble earl had confined his observations; but if attention were paid to the magnitude of loans, it would be found that the interest often varied according to the amount. A large loan, like the present, being five millions more than the greatest loan of last session, would necessarily carry with it a higher interest, on account of the difficulty which varied with their amount. But, under all the circumstances, he would say, that the present was effected on as good terms as any former loan. Indeed the noble earl had admitted that the terms exceeded his own expectations. In addition, also, to the reason he had assigned on account of the magnitude, it was also to be considered that the times had their effect upon transactions of this nature. They were affected by the state of the commercial world, and it would be recollected that we had not perfectly recovered from the consequences of those continental measures which at one time were adopted by the enemy. Besides, it was not always true that a loan was procured on good terms, because those terms were low. He thought it consistent with the terms of a loan that they should be not only advantageous to the government, but also to the public, and they ought to be such as were fair to all parties.

The Earl of *Lauderdale* would not say what might really be the case of this increase of interest; he had, however, his own opinions upon that subject. But he would never agree to one of the reasons assigned by the noble earl, that it resulted from any effect of that continental system to which he had alluded. He should be extremely sorry to find any such belief in the world; he should regret that the people of the continent could be brought to conclude that Great Britain had been injured by the measures which were adopted by the enemy against her commerce. The fact was indeed otherwise; for he could shew in that period, that the exports and imports had considerably increased. It was, therefore, clear to his mind, that the reason assigned by the noble earl, in this respect, had not been any cause for the disadvantageous terms of the present loan.

The Bill was then read a third time, and passed.

Vaccination Bill.] Lord *Boringdon* presented a Bill for more effectually preventing the spread of infection from the small pox. His lordship observed, that though this country had the honour of originating the discovery of vaccination, it had benefited less from it than any other country in which vaccination had been carried into practice. This had arisen from prejudices amongst the people against the practice of vaccination; and thus, whilst in other countries the variolous disorder had been exterminated, it appeared by the bills of mortality of last year, that there had been no less than 1,200 deaths by it in London and its suburbs. At the same time to prohibit altogether variolous inoculation, would be perhaps considered too strong a measure; he had, therefore, framed a Bill, with provisions to prevent the spreading of the infection of the small pox, in the committee on which he should be happy to agree to any amendments that might be thought more adequately to effect the desired object.

The Bill was read a first time and ordered to be printed.

East India Company's Affairs.] The Earl of *Buckinghamshire* moved the House to go into a Committee on the East India Resolutions.

The Marquis of *Lansdowne* had expected that the noble earl would have gone into a detail upon the question, but he should not now detain the House, intending when the Committee had gone through the Resolutions, to move to postpone the consideration of the Report.

The House resolved itself into a Committee.

The Earl of *Buckinghamshire*, on moving the Resolutions, went into some detail, for the purpose of shewing the policy and expediency of adopting them. His lordship contended, that no possible injury could arise to the East India Company from the proposed extension of the trade. The advantages which were intended to be extended to the merchant of this country by the Act of 1793, had failed in their application, and the provisions of that Act, instead of by their operation opening a trade to the merchants of this country, had thrown a considerable trade into the hands of foreigners. It was but just, therefore, that this commerce should be placed in the hands of our own merchants, and by thus opening the trade to India, he was satisfied, that by the same measure the prosperity of the possessions of the Company in India would be greatly increased. With regard to the trade to China, he was equally convinced of the expediency of continuing the monopoly to the Company. He did not mean to state, that by opening that trade it would be destroyed, but there were several circumstances which rendered the continuance of the monopoly highly expedient. Tea had become in this country, from its general consumption, a necessary of life, and it was of importance to keep it at a price which placed it within the reach of the lower orders of the people. To open the trade would, instead of lowering the price, have the effect of raising it; for the fact was, that the Hong merchants at Canton had a monopoly of the sale of tea, and a competition of buyers must necessarily produce a rise in the price, whilst the buyers, having a monopoly, counteracted the monopoly of the Hong merchants, and procured the tea from them at a fixed steady price. The East India Company also were bound under the Commutation Act to keep in their warehouses 25,000,000 pounds of tea, being one year's consumption. This could not be so well managed if the trade was thrown open. Another consideration, likewise, was, the public revenue derived from tea, which amounted to nearer 4,000,000*l.* than 3,000,000*l.* In the present state of the finances of the country it would be imprudent to risk so large a revenue. The noble earl went through the Resolutions, observing that it was not intended to interfere with the government of India; and that to prevent the evils which might arise from an indiscriminate intercourse with the Company's possessions in India, licences and certificates were directed, without which individuals could not go there. With respect to the Resolution relative to a church establishment in India, his lordship observed that there were 143,000 persons in India of the church of England; and from his own experience he could say, that a superintending church establishment would be found highly useful. He was satisfied, upon reviewing the whole question, that no loss whatever would be sustained by the India Company, in consequence of the proposed opening of the trade; that, on the contrary, they would gain, as sovereigns, in the increased prosperity of their possessions in India. He would only say a few words as to the government of India. If the Company rejected the proposition which would be made to them, he was satisfied there could be no difficulty in substituting the name of the Crown for that of the Company; and that means might be easily adopted for placing the appointments in India under that species of management which would not tend in any degree to injure the principles of the constitution, by increasing the influence of the crown.

The Resolutions were read by lord Walsingham, the chairman, and agreed to. The earl of Lauderdale saying not content to the first, and stating that they were all objectionable, but he did not in that stage intend to discuss them, and in the Resolution respecting a church establishment in India, the noble earl read an Amendment, which he had intended to propose, but which he did not now intend to bring forward, for establishing these ministers of the church of Scotland, contending that at least half the persons in India mentioned by the noble earl were of that church. It was his intention, however, to propose a clause to that effect in the Bill. The marquis of Lansdowne again stated his intention of moving to postpone the consideration of the Report, and lord Grenville stated, that he had not taken any part in the Committee, intending to support the postponement of the consideration of the Report. The House having resumed, lord Walsingham reported that the Committee had gone through the Resolutions, and the earl of Liverpool moved that the Report be received to-morrow.

The Marquis *of Lansdowne* stated his opinion, that for their lordships to proceed to an immediate determination on this important question, was to preclude themselves from the discharge of their legislative duty. The present measure was not like those which were generally left to the end of a session, a vote of credit, or the consolidation of the stamp duties. Or it would be a vote of credit to ministers, which would amount to an abdication and delegation of their legislative character. If a simple proposition had been brought before the House, for instance, either to continue the charter exactly as it was, or to throw open the trade altogether, then indeed they might have come to a more immediate decision on such a broad and general principle. But when we looked at the Resolutions, we found them including all principles, and adopting none, partly consisting of monopoly, and partly of free trade, partly of arbitrary government, and partly of a system of liberty; partly of an army dependent on the crown, and partly independent of it; Resolutions, in short, which reminded him of Mr. Burke's description of a certain ministry, a diversified mosaic, with here a piece of white stone, and here a piece of black. If it was ultimately found necessary to adopt a system of such opposite and conflicting interests, it would depend upon their lordships' wisdom to adjust and combine them into a settled and consistent form of government. The question was still more important, from the peculiar crisis of the times in which we lived; when the greatest alterations were every day taking place, and when no one could foresee into what form the waves would settle that agitated the face of Europe. His lordship then proceeded to animadvert on several points contained in the Resolutions, which he thought required the most deliberate consideration of the House, before they could decide upon them; the selection of the ports to which merchants should be allowed to import Indian merchandize in this country—the system of granting licences to trade in India—the question of the China monopoly, which did not appear to him to be justified even by the same colour of reason as that of the India trade: namely, a probable danger to the existing government—the collection of the revenue—the army regulations with respect to India—the sending out missionaries—and many other topics of the utmost importance, and at the same time of the utmost delicacy. His radical objection to the proposed plan was, that it appeared to be a system of compromise, which, while it retained the monopoly of the India Company, where it was most valuable, affected to hold out to the country the advantages of a free trade. He feared that this promise was a fallacious one, and that in a country governed by an arbitrary sovereign, and that arbitrary sovereign itself a trader, monopoly must either overturn the free trade, or that, in the struggle between both, the whole system might be endangered. Feeling that the future state of India, would constitute either the shame or glory of the government and the legislature, the imperishable monument of their wisdom, or the melancholy memorial of their folly and precipitation, he should move, as an amendment, that the Report be received this day three months, instead of to-morrow.

Lord *Melville* said the objections of the noble marquis would be well founded, if this was the first time the subject had been brought before them. But in fact it was several months since the Resolutions had in substance been proposed to them, and they had acquired all the information on the subject which it was possible to collect. Their inquiries had advanced with the season. He thought that more consideration would have been required, if, as the noble marquis suggested, it had been proposed to throw open the trade altogether, than now, when the object of government was to continue the existing system under certain modifications. The principle of the Resolutions was to carry into effect the plan of 1793, and to remove the unforeseen impediments, which, in the present constitution of the Company, were found to interfere with its execution. His lordship contended that it was right to continue the monopoly of the China trade, because we had no controul over the government of China, and, therefore, no power to remedy any abuses that might take place. Many complaints had been made that the period for which the charter was to be renewed was too long, but those who urged this opinion seemed to forget that the experiment could not be fairly tried in a shorter time. In the speech addressed by the noble marquis his lordship seemed to have confounded things temporary with those that were permanent; thus he had argued as if it were not in the power of parliament to legislate for India, because it could not, under the terms of the new charter, interfere in commercial regulations. They were subjects of a nature totally distinct, and the House might hereafter legislate for the government of India, if it so pleased, every day. Under all the circumstances he thought that the House could not adopt the amendment proposed.

The Earl of *Lauderdale* complained, that this subject had been most precipitately introduced, and that the noble earl (of Buckinghamshire) had condescended to give the House very little information. It was a subject in every respect new; but even if the proposition had been now to renew the same charter as that of 1793, still it must be deemed a novel question, for the circumstances of India had entirely changed since that period. The regulations then adopted had never been strictly adhered to, the provision in the Bill that the Company should not extend its territories by conquest having been totally disregarded. In other particulars it had been evaded. It provided that the Company should not receive 10½ per cent. until 500,000*l.* were paid to the public; but to get rid of this impediment the Company adopted the curious device of borrowing that large sum from the public, to be paid again to the public, that the proprietors might receive the interest stipulated. What compensation was to be made to Ireland under the new system, for, at the time of the Union the alteration of the situation of the Company was held out as an inducement and boon to the natives of the sister kingdom? It was ridiculous to call the plan now proposed a free trade, for the monopoly, as far as respects its injurious effects, would exist as strongly as ever. The great consideration was, whether a radical change in the government of India was not absolutely necessary? Were the twenty four directors capable of the civil and military controul of India? Were they, who had been known to decide political questions by a throw of the dye, to be entrusted with the fate of 60 millions of souls? If indeed (as was contended by ministers) the best form of government for India was the establishment of the Directory, it gave the lie to all experience, as to the comparative excellence of various forms of government since the existence of society, and even the British constitution in King, Lords, and Commons, so dearly and so duly prized, must yield to a body of 24 directors, selected for the controul of our public affairs. It followed as a necessary consequence, that if 24 directors residing here were the best government for India, 24 directors residing in India would be the best government for Great Britain! His lordship then went on to complain of the deficiency of information, excepting from the servants of the Company, who must naturally be swayed by a grateful bias in favour of their patrons. The documents he had moved for had been denied, on the ground that they must be conveyed in waggons, notwithstanding it was ordered by the act of 1793, that they should annually be laid before parliament. He maintained that the government of the Company was a system of robbery upon the British nation, which impoverished its coffers and seduced its citizens.—The noble earl then quoted a dispatch from the board of directors to their servants in India, directing them to increase the remittances without any view to the profit. He thence contended that if the trade were thrown open, and such a system were pursued by the Company, that body would, from the quantity of goods exported, necessarily sell at a loss, and thus exclude the private trader from the market, unless he followed the same course. It was contended, that the present plan was in pursuance of the ideas of lord Melville; but that nobleman, in a letter to the court of directors, had said that the debt (then much less than at present) was the great enemy of the Company, and should be reduced. How was it to be known, therefore, that lord Melville would approve of the system now proposed with such a debt as now pressed on the Company? It was said, that a free trade to India was to be granted, but the mere circumstance that the merchant could not derive profit from the continuation of his voyage to China, which must always be the great inducement to India, would render the concession of little avail? It was said, that if the trade to China were thrown open, the number of the Chinese merchants remaining the same, and the number of buyers increasing, the monopoly would be thrown into the hands of the former class of men, instead of the present possessors of it. If this were just, it would apply to the Americans, who, however, got their teas 85 per cent. cheaper than they were to be purchased in this country. He thought it a gross act of injustice to continue the monopoly of the China trade in the hands of the India Company. The people, in 1784, submitted to the tax on windows, which was imposed in commutation for the duty then existing on teas, under the supposition that the price of this article would be continued low; but it was a violation of this engagement, to suffer this monopoly to remain unrestricted in the hands of the Company, by which the price might be raised, not indeed for the benefit of the public, but for that of individuals. It had been said, on the other side of the House, that this question had been fully discussed; for his own part, he felt that he was merely on the threshold of discussion; and were they thus prematurely to renew the charter for 20 years, while that body would not be able to find means to meet their expenditure, and would be obliged to call on parliament to make good the deficiency?

The Earl of *Buckinghamshire* briefly replied to some points of the speech of the earl of Lauderdale. To throw open the trade to China, he contended, would endanger the existence of the trade altogether. The reason of the inferior price of American teas were, that they were of inferior quality. The surplus of the revenue of India, after meeting the political expences, was 1,100,000*l.* and the profit of the China trade, in 12 years, had amounted to 20 millions.

The Earl of *Rosslyn* said, that the manner in which the home expence, to the amount of 4,300,000*l.* would be met, had not been stated.

The Earl of *Buckinghamshire* contended that it would be met by remittances.

The Earl of *Clancarty* said, the sum mentioned by the noble earl (Rosslyn) was only the possible and not the probable expence. The probable amount was, in his opinion, 3,500,000*l.* As to the opening the trade to India, although he was not disposed to foster excessive hopes on the subject, yet it was to be considered that it was a trade from which the Americans derived great advantage, and that the imports to this country had increased from 200,000*l.* to 1,100,000*l.* yearly value. The noble earl supported the general principle of the Resolutions, and condemned the proposition for delay, as likely to produce no good consequence. The arguments which had been adduced by the noble lord who had spoken so eloquently (lord Lauderdale), so far from proving the expediency of postponing the measure to the next session, in his opinion were calculated to produce a contrary effect, as, from the minuteness and extent of his observations, he had fully proved that there was a deficiency of information, at least on his side of the House.

The Earl of *Lauderdale*, in explanation, said, that he certainly had, in the course of his speech, adverted to a great variety of documents; there were others, however, which he considered absolutely essential to the fair discussion of the present question, and until they were produced, and the House had full time to examine and well weigh their contents, he contended that the measure ought to be postponed.

Lord *Grenville* said he did not mean to trouble the House with his opinion upon the question under their discussion, but he rose merely to state the reasons on which he opposed the motion, and to decline all further attendance on this subject, provided his noble friend's amendment were rejected. Not a word had been uttered by the noble lords opposite to him, which did not add to the arguments of his noble friends for the postponement of the great question which was now brought before them. They were called on to pass a law on this subject at that time, for which duty it was contended they were qualified by the long and deep investigation which the subject has undergone; but when this investigation came to be dissected, two noble lords could not agree as to a mere matter of fact. The India Company had desired to call witnesses at the bar, and they had been examined by the counsel of the Company. He (lord G.) had been blamed for not attending that examination, and in his defence he could only say, that after having attended the examination of two witnesses, he found it was not possible for him to employ his time to less advantage; for he was able to learn much more from an examination of the printed minutes than from mere recollection of the oral evidence. They had seen that night, after all this investigation, the utter inability of the noble lords opposite to meet the statement of his noble friend (earl of Lauderdale). After having reflected much on the subject, he saw the necessity of many inquiries before it was possible to follow the subject in detail. All objections to the hastiness of the proceedings were answered by saying, that there was not any change to be effected in the government of India. This was no reason for precipitation, but afforded a reason for much inquiry, on the most important questions. Whether that government was the best adapted to the country over which it was established?—and whether it was well administered with a view to the happiness of the people subject to its influence?—and whether there was any assurance that it would continue to be well administered? He could not without inquiry answer in the negative; but there were many occasions which inclined him to doubt the truth of the affirmative. What was a stronger reason for this than the great extent of remittances necessitated by the double character of the Company as merchants and sovereigns, which must have the effect of draining that country? Were these questions to be answered by saying that the present was the system of 1793? Why was that system established for 20 years, unless to enable parliament to judge by experience on a subject in which critical knowledge could not decide? Did their lordships feel justified, without inquiry and without knowledge, to decide for 20 years on the continuance of a system, without knowing whether it would be productive of good or evil? The revenue of India had been spoken of to ascertain whether it exceeded the expenditure; but a very important question was to know how it was raised—whether by taxes that pressed on the people or afforded a temptation to corruption? Whether a great part did not arise from a most oppressive and ruinous land tax? It had been stated somewhere, that his (lord G.'s) opinion was, that this tax was not excessive; but this opinion he had never uttered, because he was not even able to know what the proportion was. This last problem he should be obliged to any one to solve. It had been stated by high authorities, that the proportion was excessive, and the system it was said was not to be extended to the conquered provinces. The simple question with respect to the zemindar system, was, whether you would, or would not say to the person on whom you lay the tax, you shall know what the amount shall be. The principle of extending this system of settled taxation, was what actuated the mind of sir Philip Francis, of Mr. Burke, of Mr. Fox, and of Mr. Pitt, it was adopted by parliament, and makes a part of the existing law of India. But since this period we had acquired other provinces, and yet it did not seem the intention of the Company to extend the principle to them; it was not the language of the Company, of ministry, nor, he was sorry to add, of parliament itself. The India Company in one of their Reports seemed to anticipate the greatest advantages from leaving the system unsettled, and levying the taxes according to the increasing wealth of the districts, or even of individuals. A noble lord (Melville) had said something as if the proposed regulations might be altered, as if the contract between the government and Company was voidable at the will of the granter: or at least, if the China monopoly was to continue, that the other parts of the charter were to be open to revision, perhaps in the very next session. He was not sorry to hear this—that the renewal of the charter was to be considered as a fine sound for India, and that it meant little else. He feared, however, that this renewed charter would stand in the way of what parliament might in less than 20 years feel to be their paramount duty to do; namely, to take from the Company all share whatever in the government of India. He would trouble their lordships no longer on the present occasion; but on the most mature consideration, he felt it his duty to withdraw himself from a discussion to which he did not think himself competent; in doing otherwise, he should only deceive his country, make a shew of deliberation when there was none, and contract his own mind by pledging himself to opinions and conclusions for which he had no substantial grounds.

The Earl of *Liverpool* said, that the committee which had been appointed was an open one, to which every noble lord was at liberty to attend. No information which was demanded had been refused, and every possible pains was taken to give to the question the most full and deliberate consideration. So far back as the month of November it was recommended to the consideration of parliament by the Prince Regent. Since the month of December the Resolutions which were now under consideration were substantially on their table; and, in fact, every facility had been given to the House to form a competent judgment upon the various topics which the question embraced. No ground, in his estimation, had been assigned which ought to induce their lordships to accede to the proposed delay;

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but, on the contrary, the strongest possible considerations had been adduced to induce their lordships to approve of the Resolutions. The noble earl then went into some of the usual arguments on the subject, and contended that government had built their determinations on experience. They had continued the China trade to the Company because experience had shewn it to be beneficial: they had thrown open the India trade, because it was unproductive in their hands. He entertained no great hope of immediate advantage to the merchant from the export trade, but he thought very great advantages would accrue from the import trade to this country from India. He agreed with the noble lord in the propriety of extending a permanent system of regular taxation to all the provinces of India.

Lord *Melville* stated, that he had no intention of implying that the charter to the Company was not to be fulfilled in all its parts, political as well as commercial, but merely that government would of course reserve to themselves the right of correcting any instances of oppression or misrule in the Company.

The Earl of Buckinghamshire briefly replied, when the House divided on lord Lansdowne's amendment.

For the original Motion - -	49
For the Amendment - - -	14
Majority - - - -	—35

HOUSE OF COMMONS.

Monday, June 21.

Irish Illicit Distillation Bill.] On the Report of the Irish Illicit Distillation Bill being brought up, sir George Hill moved that it should be taken into consideration.

Mr. *Wellesley Pole* observed, that the Bill was contrary to every principle of justice. The law, which it was now proposed to revive, had been suspended two years ago at the recommendation of all the judges. The effect of the Bill would not be to punish the illicit distillers, but the lower orders of the people; and it would be impossible to carry it into execution, without the assistance of the military. He should therefore move as an amendment, that the Report be taken into consideration that day three months.

Sir *George Hill* said this was the only measure which could have the effect of putting down the mischievous practice of illicit distillation; and he believed it would be more beneficial for Ireland, than any measure which had been adopted since the Union.

Colonel *Bagwell* conceived the measure closely connected with the civilization and morality of the people of Ireland.

Mr. *Croker* supported the Bill.

Mr. *W. Fitzgerald* said it had the almost unanimous concurrence of the representation of Ireland.

The House then divided; For the Amendment, 7; Against it, 82; Majority in favour of the Bill, 75.

Mr. Palmer's Per Centage Bill.] On the motion for bringing up the Report of this Bill,

Mr. *Stuart Wortley* rose, to move that the Bill be recommitted, for the purpose of altering the grant contained in it: he was inclined to be very liberal to Mr. Palmer, whose invention had been of the utmost service to the public: he thought, therefore, that some compensation was due from the nation to that gentleman, though it was not to be claimed as a matter of right. The sum which he proposed to give would be nearly two-thirds of the sum already mentioned in the grant.

Colonel *Palmer* stated, that as the arrangement proposed by the hon. member was not agreed to by the administration, he had no alternative but to endeavour to carry the Bill as it stood; that he had done every thing in his power, consistent with his duty to the individual whose cause he had undertaken, to prevent the necessity of a further appeal to parliament; and he sincerely regretted that an offer, made by him to government, after the last session, to refer the matter to arbitration, had been rejected. He trusted, therefore, that the friends to the Bill would pardon the trouble he had been compelled to give them, and would reject the motion for its recommitment.

After some discussion, the House divided—For the Amendment 44; Against it 77; Majority 33. The Report was then taken into consideration. The Bill, with its amendments, were ordered to be engrossed, and the third reading was fixed for to-morrow.

Helleston Election—Duke of Leeds.] Mr. Swan rose and moved, That the special Report of the Helleston Election Committee be read. The said Report was accordingly read as follows:

"Resolved, That it appears to this Com-

"mittee, that an illegal agreement has for "some time existed between the most "noble George Frederick duke of Leeds, "and the greater part of the members of "the corporation of the borough of Helleston, in relation to the return of members to serve in the Commons of the "United Kingdom for the said borough, "in violation of the freedom of election, "and contrary to the standing orders of "this House and the laws of the realm, "made for the prevention of bribery and "corruption."

Mr. *Swan* then rose. He said, that in bringing forward the motion which he was about to submit to the House, he had no political interest to answer, and no resentments to gratify. The chairman of the committee had declined to submit any motion to the House on the Report, although the majority in the committee was 11 to 3. The House ought to be informed of the proceedings of the committee. The committee were unanimously of opinion, that those voters who had benefited by the corrupt influence which had been proved had disfranchised themselves. He should be sorry to say any thing against the noble duke alluded to in the Report, or against the hon. members returned, but he conceived it incumbent on him in this case to lay before the House the nature of the transactions which had taken place, and to state the nature of the constitution of the borough of Helleston. The hon. and learned gentleman proceeded to observe, that three of the aldermen, who had got the majority of influence into their own hands, managed that influence for the Godolphin family, which family had in return paid the parish rates of Helleston from the reign of queen Elizabeth to the year 1804, when, in consequence of some disagreement, the duke of Leeds lost the patronage of the borough. Then a baronet (sir Christopher Hawkins) who was understood to think that the best plan for making his way to the House was, (as others were supposed to have done) by the possession of borough patronage, became patron of the borough in lieu of the duke of Leeds. Subsequent, as well as before that period, it was notorious that the seats were sold for 5,000 guineas each, and such practices took place as, to adopt the language of the right hon. gentleman in the chair, our ancestors would have shuddered at the very mention of. But the new patron having soon ceased to retain his influence, in consequence of a Resolution of that House, the duke of Leeds was again invited to resume the patronage, which invitation his grace accepted, upon the terms of an agreement, by which his grace became pledged to pay the town rates in return for the power of nominating the representatives. This fact was proved before the committee, and the result of the agreement was to afford the duke of Leeds an opportunity of deriving a profit of 800*l.* a year from the patronage of the borough, while each of the voters being relieved from the payment of town rates, was insomuch bribed to vote for the members recommended by his grace. The manner of managing the patronage of this borough he thought it not amiss to describe to the House, because it was pretty generally the system in the Cornish boroughs. The patron was not allowed to have any direct connection with the voters. All the patronage was distributed by the leading members of the corporation, in such a way as to preserve their own consequence in the borough, and to render the voters dependent on themselves alone. With this view the personal interposition of the patron was studiously excluded, while the business of the borough was managed by those upon whom he was to depend for the retention of his influence; every favour he granted being so conveyed, that the obligation should be felt rather towards the agent than towards the principal or patron. And by whom was this system of cunning and corruption arranged and conducted? Why, chiefly by clergymen. Yes, wherever bribery, corruption, treating, intimidation, or political persecution, or any species of undue influence, or dirty work was to be managed, the clergy, who ought to shrink from and reprobate such practices, were the most active and prominent agents. In the case of Penryn, which had so justly provoked the indignation of that House, it would be remembered that the rev. Mr. Dillon was a principal agent; in the case of Tregony, also, a clergyman was among the foremost in delinquency, and in the case under consideration, he found the rev. Thomas Trevethan and the rev. Richard Grylls among the most active in the work at Helleston. Indeed, the duke of Leeds lost ground considerably in the borough, as it appeared, from his neglect or incapacity to procure a living for the son of a clergyman. But no patron could, in fact, retain his influence in a Cornish borough, who had it not in his power to make a return of church patronage. A patron was also called upon to take a mortgage by the corporation, who, when they wished to get rid of him, were always ready to adopt another mortgagee. Another part of the system respecting the management of Helleston, and some other of the Cornish boroughs, referred to the poor's rates. Instead of selecting respectable men for overseers of the poor, the corporation took care, especially on the approach of an election, to have some low dependent persons appointed, in order to have swept off the rates the names of such men as were likely to give an independent vote. Then when complaint was made, the parties complaining were spurned at, desired in a tone of defiance to do their best, being tauntingly told, that the overseers would be supported by the corporation, and the corporation by the patron. This language, indeed, was generally so decisive, that no proceedings were taken, the affair was usually compromised after the election, and the names of the disfranchised voters were again put on the rates. Here the hon. and learned gentleman detailed the particulars of some unfair treatment which he experienced prior to the last election at Penryn from the party connected with the hon. gentleman on the bench below him (Mr. D. Giddy), that party improperly refusing to let him have in due time a view of the rate-book, so that he was at a loss to know whom to canvass. But the practices pursued in these Cornish boroughs formed a tissue of trick and low artifice, as he knew from his own experience; and if there was a borough among them more corrupt than another that indisputably was Helleston. It required more favours from its patron, and exacted more from its representatives, than any other borough he had heard of. In saying this, however, he begged to be understood that he did not mean to bring any charge against its present representatives. But from the Report of the Committee it was evident that the borough of Helleston had most scandalously abused its privileges, by violating the law of the land; and it was for that House to adopt the means most likely to be effectual in preventing the repetition of such mal-practices. In the year 1806, an individual was prosecuted for certain transactions at Penryn, and chiefly at the instance of a noble lord, who was himself guilty of the same practices. But these practices were repeated too generally in Cornwall. In fact, the only borough in the county which had even the semblance of independence, was that which he had the honour to represent [loud laughing]. For this reception of his statement, he was, he said, fully prepared. The borough alluded to (Penryn) had been no doubt corrupt; but then it had only about 100 voters, to each of whom the patron was generally in the habit of presenting 20 guineas at each election; but now the voters amounted to nearly 400, and the patron could not prudently be so liberal; or, perhaps, he was ashamed or afraid to make such a distribution, lest he should be brought before the bar of that House to answer for the delinquency. The hon. and learned member, adverting to the case of Thomas Croggon, now a prisoner in Newgate, for merely offering to sell a seat, put it to the House to consider whether the distinct agreement of the duke of Leeds, stated in the Report before the House, could be consistently overlooked, or rather whether it was not deserving of exemplary punishment? In consequence of this agreement, the noble duke introduced Mr. Hammersley the banker, and Mr. Horne the barrister, at the last election, by a letter under his grace's own hand, addressed to the mayor of the borough. With Croggon's example then in view, he asked, whether the House could, with due regard to consistency of character and duty, grant impunity to the duke of Leeds? In fact, if it were not meant that rank should give protection, and that poverty alone should expose a criminal to the prosecution of that House, it was impossible to let the conduct of the duke of Leeds, in this case, escape the visitation of the law he had so seriously offended. The hon. and learned gentleman expressed his regret that the Solicitor General was not a member of that House, in order that it might have the advantage of that learned gentleman's opinion, which he knew to be decidedly in favour of the view which he felt it his duty to take of the subject. He concluded with moving, That the Attorney General be instructed to prosecute the most noble George Frederic, duke of Leeds, for the said offence. The hon. and learned gentleman added, that he meant also to propose the prosecution of four of the aldermen concerned in the agreement with the duke of Leeds. There were some shades of difference in favour of the mayor, who was implicated only to a certain extent; from that consideration he thought it more advantageous for justice rather to have him brought forward as a witness, than prosecuted as a delinquent. The motion for the prosecution of the duke of Leeds being put,

Mr. *Giddy* thought that the speech of the hon. gentleman was one of the most extraordinary he had ever heard, though in substance he did not differ from the Report of the Committee. Had he been a member of the Committee he should have concurred in the Report, agreeing, as he did, that the transaction alluded to was a breach of the privileges of the House, and contrary to the law of the land. Knowing, as he had done from his youth, the gentlemen who were implicated in the transaction in question, and highly as their general character was entitled to respect, he could not in that House, after what had appeared, stand up as their champion on the present occasion. At the same time he did not think this a case in which the House was called on to interfere in the manner proposed.. If the hon. gentleman, or any other person, chose to file an information in the nature of a *quo warranto*, against the parties concerned, or otherwise to proceed against them at law, he saw no reason to doubt that the penalties must be incurred. But still he saw no incumbent duty imposed on the House to interfere in such a case as this. It was incumbent on the House in such a case to ascertain, *quo animo*, the offence had been committed. That the Godolphin family had conferred the highest obligations on the borough of Helleston, from the earliest times, could not be disputed. That family had built for the inhabitants a market and market-place, and had for a series of years been in the use of paying for them their poor's rates. This latter was the offence now complained of, and though he did not pretend to vindicate this as an act justifiable in itself, as connected with the right of election, still he submitted that the five aldermen now complained of had not stipulated for this, on the present occasion, with a view to their own private interest alone, but for the relief of the mass of the inhabitants, who might have reproached them had they subjected them to a payment to which they were unaccustomed, to the amount of 1,700*l.* a-year. He did not urge this, however, as a justification, but merely in mitigation. That the family of the Godolphins would not have recommended unworthy persons to the inhabitants of this borough the House had abundant proof from looking back to the names of those who had been members for that borough, among whom they would find some of the first characters in the kingdom. There was here, he submitted, no *malus animus*, and therefore, it was not necessary for the House to interfere, to the effect of marking the noble family in question, and the other parties to the transaction, with a stigma more distressing to their posterity than any penalty which could be inflicted. Independently of the prosecution proposed, the House had in their power, a measure to which he could have no objection, but which he should be rather prepared to recommend, namely, to open the right of voting in the borough in question. Of a motion to this effect early in the next session, he had no objection to give notice, provided the present motion should be negatived. The parties who had here offended had, as appeared from a paper which he held in his hand, already done every thing in their power to atone for their improper conduct, by opening the freedom of the borough to about eighty persons, being all the inhabitants above the situation of journeymen. As to the two clergymen who had been named, he bore testimony to their characters and merits. Having stated these circumstances, he begged the House to recollect, that though in point of strictness, every man who was eased of his rate had accepted a compensation, yet it could not be supposed that men of their respectability would sell and sacrifice their rights for a mere bribe of 25*l.* a year.

Mr. *Williams Wynn* regretted the long delay which had intervened between the Report of the Helleston Committee and its present consideration by the House. Under the present circumstances of the question he did not think that there remained any choice as to the mode of proceeding which the House must adopt. The greater part of the arguments he had intended to adduce, had been rendered wholly unnecessary by the resolution which the House had agreed to without opposition or discussion, "That a corrupt agreement had been entered into between the duke of Leeds and the corporation of Helleston." The House had declared, that the law had been broken, and it must now pass some sentence, or forfeit its own dignity. He thought it would have been more decorous if those who opposed the present motion, had objected to the previous resolution. It would, indeed, have been disgraceful if that resolution had been negatived in defiance of the evidence, but it would be infinitely less so than that the House should proclaim to the country at large, that the standing orders of that House, the law of the land, and the privileges of the Commons of England, had been violated, yet that no punishment should ensue. The last speaker had dwelt much upon the circumstances of palliation, and he felt himself bound to acknowledge, that in this case there was one very material one. The influence of the duke of Leeds in this borough, though acquired in an illegal and unconstitutional manner, had not been corruptly applied. Though the representation of it had been bought, yet in no instance had it been sold again, either by the duke or his family. It was only necessary to look back at the names of the persons who had sate for it under his recommendation, to prove, not only that they had been parties to no corrupt or pecuniary contract, but that they had come into parliament equally clear from that dangerous influence which claimed to guide the votes of members, and to deprive them of all free agency.

Thus much it was just to state in alleviation of the noble person's offence, but though it might be an argument for lessening the quantum of punishment, it could be no reason for passing it wholly by.

Much stress had been laid on the remuneration paid for this return being applied for the general benefit of the inhabitants, and not exclusively for those who had votes. This consideration never had and never ought to have any weight with parliament. If persons were to purchase a return, it was no matter whether it was by building a church, by paying rates, or putting money into the pocket of the electors. One practice might be less prejudicial than another to the morals, but it was equally destructive of the freedom of election. If money is once allowed to be given upon any pretence, the candidate who is unwilling or unable to bestow it must be rejected, and his opponent, though otherwise less fit, must be returned. The principle of the constitution is, that the return shall be made freely, *sine spe, sine pretio,* and any consideration given for a vote is equally illegal, whatever may be the motives of those who have paid or those who have received it. There were many cases to this effect on the Journals, but none which so fully illustrated it as that of the city of Oxford in the present reign. That corporation having for public purposes contracted debts, had written to the sitting members, offering to secure their re-election, if they would discharge those incumbrances. The gentlemen subscribing the letter could not individually be liable for this debt, and consequently, the remuneration was not for their private benefit, and the terms being refused, the proposal was never carried into execution. Yet the House upon complaint resolved the mere proposal to be a high breach of the privilege of parliament. The mayor and aldermen, ten persons of the highest respectability, were committed to Newgate, and afterwards reprimanded on their knees at the bar of the House. It had also been said that this was an ancient practice, of the illegality of which the parties were not aware. This might indeed have been contended, if it had been continued without interruption; it might have been argued that the duke of Leeds had always paid the poor rates, and had also recommended the members for the borough, but that the two facts were not necessarily connected or dependent on each other, but it appeared clearly from the evidence, that when the duke ceased to recommend one of the members, he also discontinued the payment of one half of the poor rate; and that previous to the last election, the seat of which he had formerly given up the patronage was again offered to him, on the express condition of his again paying the whole of the poor rate. This offer he had accepted, had recommended the members, and paid the poor rate. No proof could ever go beyond this, here was that contract completed, the bare proposal of which had been voted to be a breach of the privilege of parliament, and so severely punished in the Oxford case, and in that of Croggon, who by the vote of this very House of Commons has been committed to Newgate, for having meditated that offence, which the duke of Leeds and the aldermen of Helleston have actually committed. The plea of ignorance of the law was one that never could be attended to; yet even this the aldermen were not entitled to urge, since it appeared that they objected to signing the letter to the duke, lest they should hereafter be brought before the House for it; they, therefore, were fully aware of the illegality of this offer at the time when they made it. He hoped that the resolution now under discussion would be followed up by the measure suggested by a former speaker (of disfranchising the borough), but still the House would have the Resolutions of their committee recorded upon their journals as agreed to by themselves. By them the guilt of the parties concerned would be recorded, and it was for the House now to determine, whether that verdict was to be a mere *brutum fulmen* to impose on the ignorant, or to be directed effectually to prevent a recurrence of similar practices. If the motion should be negatived, it would proclaim to the world that that might be done with impunity by a member of either House of Parliament, which they visited so severely upon others. He was not himself aware of any circumstance which could prevent the House from proceeding in this case in its accustomed manner, but respect for the private character of the duke of Leeds. To this sentiment he would allow its full weight, but it was not sufficient to induce him to swerve from his duty: he should therefore vote for the motion.

Mr. *Tremayne* bore testimony to the conduct and character of the clergy in Cornwall. He thought that in such a case as the present the punishment ought to fall on the borough itself, which had generally sinned. The paper produced by the hon. member (Mr. Giddy,) as containing the names of all the inhabitants of the borough, who, it was said, were now admitted to the right of voting, he thought, however, made the case infinitely worse. He would much rather have members nominated by the noble family alluded to than by the lowest classes in the borough of Helleston. He should rather propose, that the right of voting for that borough should be thrown open to the whole freeholders of the hundred, which was a widely extended district.

Mr. *Brand* professed his astonishment that the hon. member who had opened the discussion, and who had detailed so many of the abuses of the Cornish boroughs, should not have voted for the motion he had brought forward for parliamentary reform, and in which those particular abuses, in those very boroughs, formed the principal feature. He should, however, incline more to the opinion of the hon. gentleman who spoke second in the debate, and hoped that instead of waiting for next session, he would immediately bring in a Bill to throw the borough open. This was the only mode of effectually correcting the abuses of close elections. He had been told, indeed, that the freeholders of that district were not likely to be more incorruptible than the corporation; if that assertion proved to be founded, he should move that the right of election be transferred to some of the populous hundreds in Great Britain, and he gave notice once for all, that should any similar instance of mal-practice in any Cornish borough be brought under the cognizance of the House, he should move, that the right of nomination be transferred to some of the populous hundreds of Yorkshire or Lancashire. This was a safe way of effecting a parliamentary reform. Nor need the friends of reform be alarmed at the slow progress on which they might calculate in that way; for they might rest assured that numberless instances of similar practices would be brought before the House, and that corruption would soon ruin the power of those who had built upon it. He expected to see the time when, by the gradual effect of these means, the purity of election would be completely restored; meanwhile he did not see the necessity, in the present instance, of animadverting too severely on individuals. With regard to the noble duke more immediately concerned, he regretted the distressing situation in which he stood, convinced as he was, that he had acted from no corrupt motive, but only according to an hereditary practice in his family.

Mr. *Bankes* thought that the House could not order the proposed prosecution with any moral certainty, or great probability of success; and if they failed in the measure, they would leave the case much worse than it actually was. He could not, for his own part, perceive such clear and specific grounds, as could induce him to entertain any confident hopes of success; and yet was free to say, that the committee were fully justified in the report they had made. He deemed it, therefore, more advisable to abandon the prosecution; and begged leave to suggest the propriety of bringing in a Bill for throwing open the borough to the adjacent hundreds.

Mr. *Preston* said, whatever their suspicions might be, and he strongly suspected that illegal and corrupt practices had been resorted to, in the election for the borough of Helleston, yet, as there was no evidence, on which a lawyer would say that the case was likely to go to a trial, with a prospect of success, he would oppose the Resolution, and, instead of it, submit the following amendment to the judgment of the House: "That this House will, early in the next session of parliament, take into its consideration the state of the borough of Helleston, with a view to extend the right of election therein."

Mr. *Astell*, who was chairman of the committee that had reported upon the Helleston election, stated, that in the committee he had urged what he considered as reasons against their reporting to the House in the way they had. His reasons were, that he did not think any success could attend upon the proceedings that were likely to be had upon it in that House. Those reasons were now strengthened, and he should therefore certainly vote against the motion, and in support of the amendment.

Mr. *Stuart Wortley* said, if it had not been for the act passed in the last parliament, the conduct pursued by the duke of Leeds could not be termed illegal; and it was the duty of the House to make a distinction between an illegal proceeding, under such circumstances, and the pursuit of corrupt practices; a distinction which the committee itself had made; because, throughout the whole business, no *malus animus*, no corrupt intention, appeared to actuate those who were concerned in it. They had heard a speech, filled with the horrors of Cornwall electioneering. All he had to say on this head was, let the misdeeds of Helleston be visited on Helleston, but let not the crimes of the entire county be arrayed against that borough. The name of Mr. Croggon had been most invidiously and unnecessarily introduced in the debate. He hoped, however, the imprisonment of that individual would not be alleged as a reason for proceeding against the duke of Leeds. Although he was averse to the motion for commencing a prosecution against his grace, he was free and willing to throw open the borough to the surrounding hundreds, as parliament were bound to do something in support of their dignity.

Mr. *Barham* denied the assertion, that the invariable custom of the House was to prosecute in cases of illegal and corrupt conduct with respect to elections. In proof of this, he referred to the circumstances of a contested election, in which he was engaged. In that case, although bribery was clearly proved, it was determined by the House, that no prosecution should take place.

Mr. *P. Carew* observed, that if they should order to prosecute, and fail, that they could not then proceed to disfranchise the borough. He was therefore against the motion.

Mr. *William Holmes* defended the conduct of the clergyman of Tregony, which had been alluded to in the course of the debate. Much misrepresentation had taken place, in the committee, with reference to this gentleman, with whose upright and excellent character he was perfectly acquainted. Two of the authors of these calumnies had been indicted for their malicious practices.

The *Speaker* called the hon. gentleman to order. The House must see the ocean they were plunging into, if they permitted the minutes of the Tregony Election committee to be referred to on this occasion.

Mr. *Holmes* then proceeded to make some remarks on the injustice with which Mr. Croggon had been treated. He was again called to order; after which he observed, that he should move to-morrow for the liberation of Mr. Croggon.

Lord *Castlereagh* said, that in one view of the question there could be but one feeling in the House, and that was, that nothing personally attached to the character of the noble duke. He had acted merely upon the long established practice of the borough, and it was utterly impossible to impute corruption to him. At the same time the House was in a dilemma, in having agreed to the resolution of their committee. In reference to an objection that had been started by an hon. member (Mr. Bankes), he owned it had some weight with him; but if he were thoroughly convinced that a prosecution could not be succesful, he should feel that the House was not called upon to proceed any further. He could not, however, come to any decisive opinion from his own knowledge, and he should wish, therefore, to be assisted by the legal declaration of some professional gentleman, whose opinion might be entitled to more authority than that of his hon. friend, upon a question involving purely a point of law. It would be more satisfactory to his mind than coming to a vote without such assistance: for he should certainly support the motion if he learned that it was likely to be successful: and he could wish that the Attorney General———

Mr. *Wynn* rose to order. He utterly objected to the principle of appealing to the opinion of the law officers of the crown in that House. If once admitted, a similar call might be made in every case; and what would be the consequence? that the Attorney General would be made the arbiter of the proceedings of that House on all occasions similar to the present one.

Lord *Castlereagh* contended, that there were many occasions in which the House had referred to the opinions of the law officers among them, and they had found the benefit of such a practice in assisting their judgments upon questions of a judicial nature.

Lord *Archibald Hamilton* moved that the Resolution of the House upon the Tregony election, and upon the commitment of Thomas Croggon, should be read by the clerk, which was done accordingly. The noble lord then proceeded to comment upon the difference of their proceedings upon that occasion, and upon what they were likely to be on the present. He contended that the cases were precisely similar, except in what related to the condition of the parties offending. With respect to the noble duke, no one would bear more willing testimony to the excellence of his character, than he himself; and, in voting for the motion, he should do so with more pain than he had ever felt in giving a vote in that House,—pain, not only as affecting himself, but arising from the reflection that any person of his rank should, without being actuated by any corrupt motive, have been so unfortunate as to be called before that House on such an occasion. He lamented the event most sincerely, and yet, much as he lamented it, no option was left him as to what vote he should give, for there was nothing before that House but prosecution or impunity. He did not see the force of the objection made by an hon. member (Mr. Bankes); he thought there was as much probability of success as there could be in any case; he meant upon the illegality of the transaction; and corruption was disbelieved by all. The noble lord opposite had expressed a wish for the opinion of the Attorney General. Would he vote for the motion, if that opinion was favourable as to the probability of success? He did not think he would. ["He said he would," repeated from several parts of the House.] He stood corrected; he was very happy to find himself wrong; he believed it was the first time that noble lord had ever been accessary to a vote, that went to prosecute for practices of that kind. At the same time he had no doubt, the noble lord was well aware, that the Attorney General's opinion was one, which would not reduce him to the necessity of so unpleasant a duty.

The *Attorney General* said, it was not his intention to offer any remarks upon the question before them, nor should he now present himself to their notice, but for some expressions that had fallen from the noble lord. If he understood him rightly, and he really hoped he did not understand him—he had said that his noble friend (lord Castlereagh) had secured to himself a refuge in making any pledge, because he knew that his (the Attorney General's) opinion, if called for, would prevent him from acting upon his own declaration, by being in favour of his view of the question. He was compelled to state, therefore, that though he did confer in private upon the evidence, in order that if called upon, he might give such an opinion as would not disgrace his professional character, yet neither his noble friend, nor any other person, except those with whom he had confidentially consulted upon the case, knew what his opinion might be; and he had cautiously abstained from disclosing it, because he thought it possible, though not probable, that he might be required to state it in that House. Such was the fact, and he could impute, therefore, what had fallen from the noble lord only to the hurry of expression, which left him no time to reflect upon what he was saying.

Lord *A. Hamilton.* I did not mean to insinuate that the noble lord was apprised of what opinion the Attorney General would give if called upon: what I intended to say was, that probably the noble lord was aware that his own opinion was the same as what the Attorney General's must be.

Lord *Castlereagh.* I must say I never witnessed any thing more unwarranted and more injurious in this House than what has fallen from the noble lord. I can account for it only by supposing that the noble lord did not hear distinctly what fell from me: but then, it might have been expected he would not throw out insinuations, or put illiberal constructions, without being sure of what I had said.

Lord *A. Hamilton.* I do not think I said any thing injurious to the noble lord.

Lord *Castlereagh.* I think the noble lord did me injustice, in first attributing to me what I did not say, and then in drawing harsh inferences from it.

Mr. *Canning* expressed his satisfaction that the Attorney General had delivered no opinion upon the question. The noble lord had argued the matter as if the single point to be considered was, whether they should vote for the motion, or whether they should do nothing. But it was not so. They were called upon to adopt an alternative, whether they should concur in the motion, or apply another remedy by altering the condition of the borough, so that the same practices should not again occur. They ought to be guided altogether by the character of the transaction. If it were grossly corrupt, it should be severely animadverted upon; but if illegality was all that belonged to it, they should look rather to that remedy which would visit the offence where the criminality chiefly lay, and take away that franchise which had been so much abused. No person could read the evidence without being satisfied that no soil or stain of pecuniary corruption could attach to the character of the noble duke; therefore, so far as that noble personage was individually concerned, the motion seemed unnecessary, and they might safely pass it by as one that, at best, was vindictive, and not remedial. Upon that short ground he should vote for the Amendment, which went to the root of the evil.

Mr. *Bathurst* spoke in favour of the original motion; which, he observed, ought to receive the concurrence of every gentleman who wished to preserve the consistency and dignity of parliament.—He thought the Committee right in their opinion of the illegality of the contract, and should think this a fair case to go before a jury. If the prosecution should fail, the borough might still be disfranchised.

Sir *W. Lemon* supported the Amendment.

Mr. *Giddy* said, there was not time in the present session to bring in a Bill and carry it through the House; but he pledged himself to produce a measure to extend the right of voting, early in the ensuing session.

Mr. Serjeant *Onslow* declared, that on examination of the minutes of evidence, he saw sufficient reason to say, that this was not one of those desperate cases which precluded all chance of conviction. In giving his vote for the original motion, he did not wish to prevent the introduction of some measure to purify the present mode of election in the borough; he was ready to propose a resolution of that description so soon as the present question was disposed of.

Mr. *Swan*, in reply, said, he was apprehensive the Amendment was a kind of side wind, introduced for the purpose of disposing of the question of reform altogether. He had no interest at stake, and no resentments to gratify, and the House might exercise its judgment upon the motion.

The House then divided, when there appeared—For the original motion, 52; Against it, 55; Majority, 3.

Mr. *Bankes* then stated, that he wished the Amendment to be negatived, that a Bill might be brought in immediately. The Amendment having been withdrawn, he moved, That leave be given to bring in a Bill to secure the freedom and purity of election in the borough of Helleston.

Mr. *Brand* thought it a most serious matter to be stated, that the first individual in that House had been returned by a peer. It was stated, that the seats for Helleston were repeatedly bought and sold: after which, by a majority of three, it was determined, that no prosecution should be instituted against the individual materially concerned in the illegality. He concurred in the plan for throwing the borough into the hundred on general principles. If the House, however, suspended proceedings in this business, till next session, what person in the country would suppose that they were serious in their disposition to reform the state of representation for Helleston? The difficulties in which the House would place itself, were singular and dangerous, and could only be removed by an instantaneous proceeding. He was anxious to do away what was unconstitutional, and to reform the state of the borough; in which view he should agree to the proposed Bill.

Mr. *Rose* agreed in the propriety of coming to an immediate determination of bringing in the Bill.

Mr. *Western* said, if there existed grounds upon which they could disenfranchise the borough, there also existed grounds for instituting the prosecution.

Leave was given to bring in the Bill.

Lord A. Hamilton then intimated his intention of moving to-morrow for the liberation of Mr. Croggon.

CORN TRADE.] Sir Henry Parnell moved the order of the day for going into a Committee to consider further of the Report which, upon the 11th of May, was made from the Select Committee appointed to enquire into the Corn Trade of the United Kingdom.

Mr. *Rose* declared that the Resolutions proposed a complete alteration of the Corn Laws, which in his opinion would be a very mischievous measure.

Sir William Curtis and Mr. Peel said a few words concerning the propriety of postponing the motion till more extensive information relating to the corn trade could be obtained.

Mr. *Lascelles* maintained that further delay was wise, proper and expedient.

Mr. *Bankes* wished to warn the House against passing the measure without further information; though they had abundant reason to be dissatisfied with the present state of the corn laws, he did not know that the adoption of the proposed measure would make them any better.

Mr. *Protheroe* deprecated the introduction of any measure that even seemed calculated to increase the price of corn.

Mr. *Finlay* deemed the measure to be unseasonable and improper, and was determined to oppose it.

Mr. Alderman *C. Smith* was against the interference of the House in the price of bread, or any other of the necessaries of life, as such interference always made them dearer.

Mr. *W. Smith* thought it would be time enough to object to the details of the Bill, when it should be before the House. At present the only question was, whether the subject should be discussed at all, or not.

Mr. *Horner* was for discussing the Resolutions, with many of which he agreed.

Sir *H. Parnell* did not think that any information upon the subject was wanting. They had before them all the official papers on the corn trade, and every important document in the possession of the Board of Agriculture, or the Farming Society of Ireland.

Mr. *Baring* spoke against the Resolutions.

Sir *James Shaw* said, that he conceived the high prices of corn for the last twenty years was encouragement enough to agriculture, and that it should be well considered how far such a measure would affect the poor, and the manufacturers. He thought it would be better that a subject of such great importance should be postponed till next session.

The House divided on the order of the day for going into a committee. Ayes 57; Noes 27; Majority 30. On the next question, that the Speaker do leave the chair,

Mr. *Baring* said, the measure in contemplation was calculated to exclude from the most populous part of this empire the best and the cheapest corn, for the sake of the country which produced the dearest and the worst. Wheaten bread would soon be as great a luxury to the working people here as those in Ireland. Much had been said about this country having exported grain in the first half of the last century, and imported it in the latter; but was this not owing to our increased manufactures in this last period, and to the increase of our army and navy? The House were not in possession of sufficient information on the subject. The Bill, in every stage, should have his opposition. Much pains had been taken to conciliate different interests to this measure. The representatives of Ireland, the West India, the growers of corn in Canada, and all the great interests had been endeavoured to be conciliated, while the manufacturing interests of this country had not been consulted as to the operation of the Bill upon them.

Mr. *Barham* said, it had been the constant practice of the hon. gentleman who spoke last to represent the West India islands as in a prosperous state. He would rather take the profits of the individual house to which the hon. member belonged, than those of the whole West India islands. The hon. gentleman supported the proposition of the hon. baronet (sir H. Parnell) and deprecated the idea that those who with him were the advocates of that measure were not as anxious for the interest of the labouring poor, as its opponents were or could be.

Mr. *Huskisson* followed on the same side, declaring, that as a member of the committee, from which this measure emanated, he was not actuated in his consideration of the question by any solicitude for the corn grower or the landlords, or for Ireland, in which he had no personal interest, but for the general interests of the empire, which were best consulted, by securing to all classes an adequate supply of corn, which supply would, he trusted, be the result of the measure before the House.

Mr. *Abercromby* maintained that as the object of the Resolution was to raise the price of corn, in order, as it was professed, to encourage the corn-growers, the result must be, to raise the rents, for it could hardly be supposed that landlords would not contrive to participate in any additional profits derived from the use of their land; that was, if the measure should have any success, for he must confess, that in his judgment its success was problematical.

The gallery was cleared for a division, but no division took place. On the sixth Resolution, by which the protecting duty, or price at which corn may be imported, is to be fixed on an average of the whole twelve maritime districts of England, Ireland and Scotland, instead of the four maritime districts of England alone, a pretty long conversation took place, in which sir W. Curtis, Mr. Baring, Mr. Alderman Atkins, Mr. Horner, Mr. Finlay, &c. opposed the Resolution; and Sir H. Parnell, lord Castlereagh, Mr. Barham, Mr. Huskisson, &c. supported it. The Committee divided —For the Resolution 38; Against it 20; Majority in favour of the Resolution 18.

Some other Resolutions were gone through, when the chairman reported progress, and obtained leave to sit again.

HOUSE OF LORDS.

Tuesday, June 22.

East India Company's Affairs.] On the motion of the Earl of Buckinghamshire the East India Resolutions reported from the Committee were agreed to.

The Earl of *Lauderdale* adverted to a duty lately imposed at Madras, upon the export of cotton, and observed, that if the Company were to be allowed to fetter the trade to India with duties at their pleasure, the regulations for an open trade would be nugatory.

The Earl of *Buckinghamshire* stated that there was a clause in the Bill prohibiting the imposition of any new duties in India on exports or imports, without the sanction of the government here.

The Duke of *Norfolk* asked, with regard to the trade to China in tea, whether the monopoly was to extend to the Pacific west of Cape Horn, and whether, for instance, a ship trading from Liverpool or Bristol to Lima, and taking on board their tea as a part of her cargo, could legally sell that tea at Bourdeaux or Cadiz, or any neutral port.

Some conversation took place upon this point, between his grace and the earls of Liverpool and Buckinghamshire, the result of which was, that

The Earl of *Liverpool* stated, that it was intended the Company should have the monopoly of tea in the same manner as they now held it, and that therefore, no other British subjects or British vessels could legally trade in that article, but with respect to other articles it was intended to allow a circuitous trade with China.

The Duke of *Norfolk* intimated his intention of moving some provision upon this subject when the Bill came before the House.

HOUSE OF COMMONS.

Tuesday, June 22.

Irish Barrack Expenditure.] Mr. *Fremantle*, in rising to call the attention of the House to this subject, declared that he had no object in view but to check an extraordinary system of expence by subjecting it to the examination and controul of parliament. To such an extent, indeed, had this system gone, that it would be difficult for any government effectually to controul it, without the aid of parliament. Feeling this, he had of course no intention to cast any censure upon government, but to give it strength for the reform of enormous abuses—for those abuses must be so deemed, which no government since the Union had contrived to overcome. Government then either wanted the means of producing this reform, or was destitute of that energy, which ought to belong to every government. He did not, however, mean to inculpate any set of men, but to point out a great public irregularity, which, he trusted, all men would feel the propriety of removing. For what could be more irregular, or rather more flagrant, than the habit of voting to the barrack department in Ireland large sums upon account, instead of upon estimate, which was the system with respect to every other public department, and particularly that of barracks in England. But without any invidious detail, the plainest way of stating the case was by reference to the documents upon the table. From these documents it appeared that there were three descriptions of barracks in Ireland, namely, the permanent, those rented, and those hired only by the year. With respect to the latter, he understood from authentic private information, that the most scandalous malversation prevailed. This, however, he could not attribute to the immediate agents of government. But as to the extent of the Irish barracks generally, they were actually capable of accommodating no less than 90,000 men, and 139,000 men were as much as could be required or calculated upon for the home establishment of the country. Then while Ireland was provided for 90,000, the remainder only would be left for England to accommodate. How, he would ask, could such a disproportion be necessary, or the expence arising out of it justifiable? But the disproportion appeared throughout the system. In England the actual expence of barrack masters at present amounted to 43,000*l.* a year, while in Ireland it reached 30,000*l.* In the former the rent of barracks was only 38,000*l.* while in the latter it amounted to 50,000*l.* and it was remarkable, that the rent of the temporary barracks in Ireland had for several years been always the same. It was also to be observed, that the expence of the barrack office in England amounted to 30,000*l.* a year, while in Ireland, when the barrack office was abolished, the duties of the office were committed to one officer belonging to the Board of Works, with only a salary of 600*l.* a-year, still the contingencies of the Irish barrack department were equal to 25,000*l.* a-year. The expence of building barracks in Ireland, within the last four years, amounted to 721,000*l.* while the same item in England was only 450,000*l.* The annual expence of fire, and candle, and lodging for soldiery in England was annually about 12,000*l.* while in Ireland it exceeded 15,000*l.* Thus in every item the excess was, considering all circumstances, to an extraordinary degree on the side of Ireland. But without entering into further detail, the aggregate of expence in the barrack department in Ireland since the Union amounted to 4,594,774*l.* independently of barracks for the ordnance department, which amounted to 1,261,000*l.* He put it to the House whether such an extent of expenditure did not call for inquiry and examination. Again, he wished to be understood that he meant no reflection upon the Irish government; on the contrary he thought that government manifested a disposition, as far as it was practicable, to act upon the principles of economy and reform. Indeed the right hon. gentleman (Mr. Peel) had the merit of at length bringing up the accounts of lord Tyrawley, whom every government since 1803 had either neglected or been unable to bring to any explanation. This nobleman had been chief of the barrack department in Ireland until 1803, when he resigned, the apparent debtor of the public in no less a sum than 1,835,234*l.* the noble lord, however, now affirming that he is a defaulter for only 45,000*l.* Such, in fact, was the amount of the sum unaccounted for; and one should imagine, that upon the discovery of such a debt some new regulations would have been adopted to controul the expenditure and audit the account of his successor in office. But no: general Freeman succeeded the noble lord on the same terms, and so held the office to this hour. So stubborn, however, were abuses in this department, that no regulations were as yet found effectual in restraining them. Even the regulations prescribed by the right hon. gentleman in the chair, which were alike honourable to his probity and penetration, had never been enforced. Here the hon. member entered into an historical detail of the barrack department in Ireland, and its mode of government, and urged strongly the necessity of placing the whole of that department under the same controul and regulations as the barrack department in England, whose estimates were regularly submitted to the view of parliament, the good effect of which system the House had lately witnessed in preventing improvident expenditure, alluding to the proposition for building barracks in Marylebone park. He concluded with moving the following Resolutions:

1. "That it appears to this House, that there are barracks now building, built, purchased, held on lease or temporary hire in Ireland, capable of containing 74,055 officers and men. 2. That the estimates for works and buildings now carrying on under the direction of the barrack department in Ireland amount to the sum of 304,797*l.* of which there has already been advanced the sum of 274,130*l.* 3. That the annual rents for permanent and temporary barracks in Ireland amount to the sum of 50,000*l.* 4. That the charge of the barrack department in Ireland, not including military buildings erected, and expences incurred under the authority of the ordnance department, has not amounted since the union of the two countries, to less than the sum of 4,594,774*l.* 5. That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions, that, so long as it shall be found indispensably necessary for the public service to conduct the barrack department of Great Britain

and Ireland by separate and distinct Boards of Commissioners, estimates of the sums required for the expenditure of the barrack department of Ireland may, within a reasonable time after the commencement of every session of parliament, be laid before this House, framed in the same manner, and detailed under the same heads as in the accounts prepared annually of the estimated barrack expenditure of Great Britain."

On the first Resolution being put from the chair,

Mr. *Peel* requested the indulgence of the House, while he shortly followed the hon. gentleman. He was surprised, after the speech they had just heard, in which the hon. gentleman had so severely censured the present system in Ireland, that he should conclude with a motion, in which he (Mr. Peel) could concur, namely, that the barrack estimates of Ireland should be framed in the same manner as those of England. The hon. gentleman had enumerated the charges for barracks in Ireland, and stated to the House the number of men those barracks would contain, but he had not stated as he ought to have done, that the permanent barracks were unoccupied, and that they were erecting to relieve the public from the expence of hired barracks. The whole of the hon. gentleman's speech he regarded but as an argument in favour of permanent barracks. Many of those buildings he enumerated which were expected to be fit to be occupied by the end of the present year. He then proceeded to shew, that, in comparing the heads of expendiditure the hon. gentleman had not taken a correct view of the subject, as items were comprised in the Irish barrack estimates which were not included in the English. The expence of salaries, &c. of barrack offices he had said were but 32,000*l.* in England, while on a scale so much smaller they amounted to 25,000*l.* in Ireland. In point of fact, however, the charge on that head he would find was but 7,632*l.* and contingencies not provided for in the corresponding English estimate raised the sum to the amount stated. He admitted the present mode of arranging the estimates was improper. He should have brought them forward in the same way as the English, if he could have effected it, in the present year, but this he had not been able to do. He hoped to do it in another year. With respect to the complaint of sums being granted on account for this service, he stated, that in the last year the sum of 125,000*l.* had been so granted. The amount of the expenditure, however, had not exceeded 62,000*l.* and thus a saving of half the grant had been made. He should agree to the motion, but could not agree to the reasoning on which it was grounded, which went to shew the Barrack Board was not under proper controul. In the Irish barrack estimates, items were comprised, which caused more than half the total charges which were not included in the English barrack estimates. He thought it would have been better if the hon. gentleman had moved for the regulations in the Irish barrack department before he ventured on the general censure in which he had indulged. Had he done this, he would have found that the matters of which he complained had long been remedied, and that nothing could be more incorrect than to charge the government of 1813 with the errors of 1803. These remarks on the speech of the hon. gentleman he apologised for having troubled the House with, so much at length, as it was not his intention to oppose the Resolutions.

Sir *H. Parnell,* while he admitted that great improvement had been made in the barrack department in Ireland, was not disposed to go the full extent of the right hon. gentleman who spoke last in eulogium upon that department as it at present existed.

The Resolutions were then agreed to.

MOTION FOR THE DISCHARGE OF THOMAS CROGGON.] Lord *Archibald Hamilton,* in rising to move for the liberation of Mr. Thomas Croggon, said, that he was aware there was no precedent for the discharge of a person confined under such circumstances, but on petition; he, nevertheless, conceived, that if he could make out clearly a case of great hardship, the House would not scruple to depart from the ordinary course of their proceeding. Nothing, he conceived, could be more unjust than to keep Mr. Croggon in confinement for the space of nine weeks, after the decision to which the House had come in two recent instances. In the case of the interference of the duke of Cumberland in the election for Weymouth, he (lord A. Hamilton) had stated, that he was able to bring forward evidence to prove that the interference of that illustrious personage had been palpable and direct, but the House thought proper to decide otherwise.

Still, however, he trusted that he might be allowed to retain his own opinion of that transaction, even though the House had decided in contradiction to it. The other case upon which the House had determined was that of last night, which appeared to him to offer reasons as strong against the confinement of Mr. Croggon, for he feared it might be calculated to produce an impression outside those doors, that by some means or other, offenders of rank or distinction always escaped with impunity, while those of an humble description were visited by a measure of punishment partial and unequal. The ground on which the House decided not to hear any evidence against the duke of Cumberland, was, that the committee had not reported upon any part of his conduct, so as to justify such a proceeding; whereas in the case of the duke of Leeds, which was before the House last night, the committee had reported, and the House had taken their report into consideration. In submitting the motion with which he meant to conclude, he had several grounds to go upon. The first of those grounds was, that the House would be guilty of great partiality and injustice, if they suffered Mr. Croggon to remain in prison, after they had passed over the two cases to which he had referred. The next ground was, that the House had gone beyond the Resolution of the Committee, which was, "that Thomas Croggon, currier, of Truro, did endeavour to procure the return of two members to serve in this present parliament for the borough of Tregony." The House resolved that Thomas Croggon had 'openly' and 'corruptly' endeavoured to procure such return. This, in his opinion, was a very material variation from the Report of the Committee; and the House should also recollect that Croggon had not been brought to trial to prove him guilty of the offence charged against him. He had not been permitted to offer any thing in his defence, as he would in a court of law, but on the mere evidence of the Committee the House had come to a decision; and the Serjeant at Arms, on the next day, reported that Thomas Croggon was in custody; and without any other form of trial, they at once decided that he should be committed to Newgate. The third ground on which he rested his present application was, that even though Croggon had been guilty of the offence imputed to him, and that his guilt had been established according to the forms of law, yet he should not be confined in the manner in which he was—he should not be obliged to sleep in the same bed with a convicted felon. (Hear, hear!) It was last night determined, that though there had been an illegal endeavour to procure a return, and that the act had been performed, yet that there had been no corrupt motive which could justify a prosecution by the Attorney General. In the case of Croggon the illegal act had not been done, the illegal endeavour had not been proved, and yet he had been sentenced to nine weeks' imprisonment, on a charge for which, though substantiated, they had last night acquitted another. The most unfavourable impression might be made on the public mind by an appearance of partiality such as this, where persons of high station could be supposed to be exempt from an equal measure of impartial justice; while the House, in order to preserve an appearance of purity and a character for independence, selected persons of inferior rank, and visited on them the punishment which was equally due to their superiors. Having stated the grounds on which he rested his application, he would now mention the reason why Croggon could not petition. The principle of obliging any person who had been committed by the House on a charge of actual guilt, to petition and acknowledge their offence before they could be liberated, was one which he had opposed on one or two occasions, and this case was fraught with the highest injustice. If he was informed right, the ground of Croggon's not petitioning was that he could not with any colour of consistency, prosecute for perjury the witnesses who had deposed against him before the Committee, if he previously admitted at the bar of the House of Commons that he had been guilty of the offence imputed to him, which he felt that he could never do. He (lord A. H.) could never think that the substantial ends of justice were answered by a mode of proceeding in which the House compelled a man to acknowledge his guilt, without affording him an opportunity of proving his innocence. The noble lord having recapitulated the arguments he had used, professed himself to be solely actuated by a sense of duty to the House and to himself, by an opinion of Croggon's innocence, and a wish to do him justice before the session expired. He then concluded by moving, "That Thomas Croggon be brought to the bar of the

House to-morrow, in order to his being discharged."

Mr. *Holmes* rose to second the motion; and in explaining the reason of his vote, took a view of the proceedings of the committee on the Tregony election, and read some extracts from the evidence, in which it was stated that Croggon had an interview with him on the evening before the poll closed in Tregony; whereas there were different gentlemen in the House, among whom he might refer to the hon. members for Penryn and Grampound, who could prove that he was absent 32 miles from the place at the close of the poll. Bills of indictment had since been found against some of the witnesses for perjury, and Croggon had declared that he never would petition, though suffering under the pressure of illness in consequence of his confinement, because he felt a thorough conviction of his innocence. The only act of agency (if such it could be called) ever performed for him by Croggon was, that he merely informed him of the state of the borough. The influence which was exerted to prevent its independence was sufficiently proved by the treatment which those electors had received who had voted for him; for out of 127 voters in his favour, 98 were next day driven out of their houses into the street, and on the day after were called on for their rents, the costs of the proceedings against them being soon run up to more than ten times the amount of the original sums; for the whole amount of the rents sued for was only 8*l.* while the costs were 98*l.*! (Hear!) Croggon had been in the receipt of 3 or 400*l.* a year by his business; but in consequence of the ruin to which he had been reduced, he believed that he was now unable to pay his gaol fees. Under all the circumstances, he trusted that those who voted against the motion of last night would give their voices for that which was now before them.

Mr. *Bankes* did not think the noble lord had offered sufficient grounds to induce the House to depart from their usual practice in similar cases, though he acknowled that there were extenuating circumstances in the present one, as stated by the noble lord, and he thought it very singular that there should be no other place for a prisoner committed by that House to repose on than the bed of a felon. This, he thought, formed a ground for inquiry, for the offence of Croggon, though great, and deserving punishment, did not merit such a degree as that. With respect to some of the observations of the noble lord, he had to complain that he expressed himself on the subject of the feelings by which the House were actuated in dealing out punishment; and, for himself, denied the charge of being influenced by any motive in his vote last night than an opinion that the case would not bear out a prosecution. He was sure that other gentlemen acted as purely; but he had distinctly stated the reasons of his vote. He had no wish that Croggon should be confined longer, but he saw no reason for departing from precedent.

Lord *A. Hamilton* denied that he had imputed any improper motives to the members of that House, and said that he had only observed upon the surmises or opinions which might be formed by the public.

Mr. *Brand* thought that there was considerable difficulty in proceeding upon the present occasion, for a confession of crime being completely impossible, in what manner could a petition be drawn up, so as to satisfy the House? Or how could a reprimand be delivered from the Chair, when there was no crime to justify it? In his opinion, the most just and constitutional way would be, to relieve the individual when nothing had been proved to establish his guilt, and to suspend the practice of parliament on this occasion.

Mr. *Bathurst* admitted that the punishment had been great, and the treatment which Croggon had received in prison highly reprehensible. The noble lord had, however, as it appeared to him very improperly, attempted to show that because the House had rejected the motion respecting the alleged interference of the duke of Leeds, they ought to adopt that which he proposed for the liberation of Croggon. The noble lord had not succeeded in making out his case; for although two bills of indictment had been found against two persons for perjury against Croggon, there were other grounds of specific charge against him, which remained unrefuted. The way lay clearly before him: he had merely to petition the House in the usual manner, stating the reasons why he could not acknowledge his guilt. The best mode seemed to be to proceed to the other orders of the day, and the noble lord would then be at liberty to have the petition framed according to the facts, and the peculiar nature of the case. He concluded by moving, that the other orders of the day be read.

Mr. *Wynn* referred to the minutes of evidence taken before the Committee on the Tregony election, and contended that they sufficiently proved the violation of the law by Mr. Croggon, than whom there had never been a fitter object of the punishment of the House. Having, however, been imprisoned ten weeks, he thought his punishment had been sufficiently severe, but he decidedly objected to his liberation on the motion of the noble lord. He thought that at a given period—a week for instance—Mr. Croggon might be called to the bar, be reprimanded by the Speaker, and be discharged.

Mr. *Stephen* suggested, that the prisoner should present a Petition to-morrow, simply stating the circumstances of his case, as they had that night been described in the course of the discussion.

Mr. *Stuart Wortley* maintained, that Mr. Croggon had been treated with great hardship, and resisted the doctrine, that when a person had been committed by the House for an offence, he should be allowed to lie in prison till he confessed his crime. If the motion for passing the order of the day should be negatived, he would move, as an amendment to the original motion; that Mr. Croggon having sustained ten weeks imprisonment for his conduct should be called to the bar to-morrow and discharged.

Mr. *Cochrane Johnstone* read part of a letter from Mr. Croggon, in which he described his situation in Newgate as most wretched, being confined on the felons' side, in a cell with several other men, some of whom were under sentence of death. Previous to his confinement the unfortunate man had been for three weeks in a state of insanity, and at the time of his being sent to prison, was in very bad health. He stated in his letter, that he had been fortunate enough to obtain leave to sleep in the same bed with one of the men condemned to be hanged, and for this permission he was obliged to pay a considerable sum to the turnkey. He solemnly protested his innocence, and concluded his letter by declaring, that although he had been ruined in his circumstances by the prosecution and confinement, he was determined, in despite of his afflictions and distress, to continue an honest man.

Lord *A. Hamilton* made a short reply. If his own motion should be negatived, he should have no sort of objection to accede to the Amendment of the hon. gentleman, (Mr. Wortley). He defended himself from the imputation of having unfairly connected the present question with the subject under discussion on the preceding evening; maintaining that the cases of the duke of Leeds and Mr. Croggon were strictly analogous, although the results had been so contradictory. It did not appear to him that a petition from Mr. Croggon ought to be considered as indispensible to his liberation. The House ought to do justice, without reference to any other consideration; and no precedent would, in his opinion, justify a different conduct.

Sir *James Shaw* took that opportunity of doing justice to the very high character maintained by Mr. Newman, the keeper of Newgate, for humanity, benevolence, and integrity. From his personal knowledge of Mr. Newman's good qualities, and the general estimation in which he was justly held, it would seem, that some misconception had taken place in the mind of the writer of the letter. The prison was at all times subject to the examination of a committee of the Court of Aldermen, who were ready to correct every abuse, and he was not aware of any grounds of complaint against Mr. Newman. If the hon. member would favour him with the letter in question, or a copy of it, he would undertake to make every proper inquiry into the subject.

Mr. *Canning* said, that although he could not support the original motion of the noble lord, yet conceiving that the unhappy individual in question had been sufficiently punished for the delinquency imputed to him, he would certainly support the amendment of the hon. gentleman (Mr. Wortley).

Mr. *P. Grenfell* hoped, for the honour and dignity of the House, that after what they had that night heard, a Select Committee would be appointed to inquire into the manner in which persons committed by the House to prison were treated.

Lord *A. Hamilton* expressed his readiness, should the motion for passing to the order of the day be negatived, to withdraw his original motion, for the purpose of making way for the amendment suggested by Mr. Wortley.

On a division there appeared—

For the Orders of the Day......	59
Against them	77
Majority............	—18

Resolved, "That Thomas Croggon, having been committed to his Majesty's gaol of Newgate, pursuant to the order of this House of the 13th of April last, and having, upon that commitment, suffered an imprisonment of ten weeks, be brought to the bar of this House to-morrow, in order to his being discharged; and that Mr. Speaker do issue his warrants accordingly."

And it having been stated, by a Member in his place, that great impropriety had taken place as to the manner in which the said Thomas Croggon has been imprisoned under the authority of this House;

Ordered, "That a select committee be appointed to enquire into the circumstances attending the imprisonment of Thomas Croggon in his Majesty's gaol of Newgate."—And a Committee was appointed accordingly.

East India Company's Affairs—Propagation of Christianity in India.] The order of the day being read for resuming the adjourned debate on the 13th Resolution of the Committee on the Affairs of the East India Company,

Lord *Castlereagh* rose and said, that, before he proceeded to make his next motion, which would be, that the House do now proceed to discuss the 13th Resolution, he was anxious to offer a few observations upon it. He was the more particularly called upon to do this, because there was no point on which greater misconception and misrepresentation had gone forth, than on this particular resolution. A very general idea had been entertained, that it was intended to encourage an unrestrained and unregulated resort of persons to India, for religious purposes; precisely on the same ground, as it was imagined, that an unrestricted and unlimited commercial intercourse would be permited to that country. The House must now be aware, that government never contemplated the uncontrolled admission of persons into India, for the purpose of commerce; and, he would add, that it never entered the minds of those who had drawn up the 13th Resolution, that an unrestrained and unrerestricted resort of persons, with religious views, would be consonant with the tranquillity and security of the British dominions in India. They did, however, think, that no danger would arise from allowing a certain number of persons, under the cognizance of the Court of Directors, who were again controlled by the Board of Commissioners, to proceed, as missionaries, to India. He thought, as the House had adverted to the interests of religion, in one of the resolutions entered into at the renewal of the charter, in 1793, and as the subject had been frequently alluded to in the course of their debates, that it would seem as if they were less disposed to the cause of Christianity, on the present occasion, if a proposition of the nature contained in this resolution had not been submitted to the legislature. His lordship then contrasted the present resolution with that agreed to in 1793, and argued that the present was preferable, as it provided a salutary controul, both with respect to the number of persons going out, and to their character, which was omitted in the other. As to the dread which some gentlemen seemed to suppose would be created amongst the Hindoos, by the appearance of missionaries in India, he saw no just ground for any apprehension of the kind. He did not think the Hindoos would be more alarmed by the appearance of Christian ministers amongst them, than they were by an intercourse with the professors of Mahometanism, or of the various sects into which the country was divided.—There was the less foundation for such an opinion, when it was recollected, that a controul would exist to prevent too numerous a body of missionaries proceeding to that country. At the same time, when he considered the length of the voyage, and the expence which the individuals proceeding to Hindostan must incur, he was inclined to believe, that the spirit of proselytism was not so exuberant in our times, as to tempt any very alarming body of persons to proceed on religious missions to that country. Under proper controul no evil was likely to occur. What progress Christianity might make, it was impossible for him, who had never been in India, to say. Great advantages, he thought, might be obtained from such an intercourse with the people, as might lead them away from many immoral and disgusting habits; such as the sacrifice of women, for instance. This might be accomplished more speedily than by direct measures of the government, which were not always advisable. He hoped, therefore, it would be discussed discreetly and temperately: and concluded by moving the adjourned Resolution.

Sir *Henry Montgomery* rose to state his objections. He said that in a residence of twenty years in India he had never known an instance of any convert being made to Christianity, nor had he even heard of any, except one who was converted by that very respectable individual Mr. Schwartz. It was said, indeed, that that gentleman, who by the bye, was a politician, had many converts: it was true that he was followed by several persons of the lowest class, in the scarce season; and these were called rice Christians. Neither the Portuguese, the Dutch, or even the Mahometans, had ever made any converts except by force. There were, indeed, many Christians in India, as there were Jews, Parsees, and persons of other religions; not that they were converted Hindoos, but descendants of those who had settled there. The attempt to introduce Christianity had never succeeded, but it had been productive of endless massacres and mischiefs, and was the cause of the expulsion of the Portuguese from the country both there and in Japan. The Dutch, who succeeded them, were obliged to trample on the cross before they were admitted into the country. These transactions were not forgotten by the natives. The Romish priests had begun with persuasion, and they had ended with force; had they any reason to suppose that we should not do the same? The religion of the Hindoos was pure and unexceptionable; their custom of exposing children made no part of their religious code. Those to whom he had spoken of it excused it from the miserable state of the country at that time, and from the fear that at a certain age they would fall into the hands of the Mussulmen. Neither was the women burning themselves on the death of their husbands any more a religious rite than suicide was a part of Christianity. It might be, or it ought to be, prohibited by proclamation of the government. As to what had been said of the dancing girls and their indecent postures, he had never seen any thing of them, or they had no effect upon him. If gentlemen would look at home, and only attend to the number of loose women that they would see in the street that night, they would have work enough [a laugh.] He considered the account of Dr. Buchanan as an imposition on this country and a libel on India. If we wished to convert the natives of India, we ought first to reform our own people there, who at present only gave them an example of lying, swearing, drunkenness, and other vices. In the Decan, where he resided, with a capital containing 300,000 inhabitants, and 600,000 in the rest of the district, there were only 88 commitments for every species of crime in ten years; whereas in the city of London alone, there were 1663 commitments in the last year. He thought the good to be done to the morals of the people very little, and the danger great. The insurrection of Vellore had arisen from a suspicion of a design to change the religion of the country. This, at first, originated merely in the alteration of the form of a cap from square to round; but it was insinuated by the Portuguese, and other evil disposed persons, that it was a prelude to a total subversion of their religious rites and customs. The missionaries were not the cause of the unhappy affair at Vellore; but if missionaries were to be allowed to act without restriction in India, this feeling would revive, and there would be a repetition of the scene of Vellore in every part of India. The accounts furnished by the missionaries of the number of conversions were not implicitly to be relied on; for instance, he held a missionary publication in his hands, in which the baptisms of 25 men were stated; but upon enquiry it would be found that these 25 men belonged to his Majesty's 24th regiment, who were probably all baptised before leaving this country. He had lived 20 years in India, and he had lived 10 years in this country since, and he thought the moral character of the Hindoos a great deal better than the moral character of the people of this country in general, taking them high and low. He was more anxious to save the lives of the 30,000 of his fellow countrymen in India, than to save the souls of all the Hindoos by making them Christians at so dreadful a price.

The hon. *Frederick Douglas* addressed the House for the first time. He contended that religion was not the original cause of the disturbances at Vellore, though it was afterwards called in. He thought missionaries ought rather to be tolerated than encouraged; and that a number of chaplains belonging to the established religion ought to be appointed, with fixed residences, that the civil government might always be able to lay their hands on them. He could not but pay great deference to the facts quoted by the hon. baronet, especially when he considered how great a length of time that individual had resided in India; but in all that had been said by him, he had not heard any thing that ought to induce the House to reject the plan proposed in the Resolution before them.

Mr. *Wilberforce* rose and spoke as follows:*

I have listened with no little pleasure to the hon. gentleman, who, for the first time, has been just delivering his sentiments; and I cordially congratulate him on the manifestation of talents and principles which, I trust, will render him a valuable accession to this House, and to his country; but before I proceed to the more direct discussion of the question before us, he will allow me to express my dissent from his opinion, that it might be advisable to employ our regular clergy as missionaries. It was a proposition, indeed, which naturally recommended itself to the mind of any one, who, like my hon. friend and myself, being attached, on principle, to the church of England, and being deeply impressed with a sense of the blessings which we ourselves derive from it, are of course desirous of communicating the same blessings to others of our fellow-subjects.

I grant that it is much to be regretted, and among the Roman Catholics it has been the reproach of the Protestant churches, that they have taken so little interest in the conversion of the heathen nations; and I may take this opportunity of declaring it as my opinion, that it is much to be regretted, that our excellent church establishment contains within itself no means of providing fit agents for the important work of preaching Christianity to the heathen. Nor is this a new opinion: on the contrary, I had the honour of stating it many years ago to two venerable and most respected prelates, the late archbishop of Canterbury and the late bishop of London; and they expressed themselves favourably of a proposition which I submitted to their consideration, that there should be a distinct ordination for missionaries, which should empower them to perform the offices of the church in foreign countries, but should not render them capable of holding church preferments, or even of officiating as clergymen in this kingdom. It is obvious, that the qualifications required in those who discharge the duties of the ministerial office in this highly civilized community, where Christianity also is the established religion of the land, are very different from those for which we ought chiefly to look, in men whose office it will be to preach the Gospel to the heathen nations, which they will find unacquainted with the first principles of religion and morality; from the qualifications which we should require in instructors who will probably be cast among barbarians, and, besides having to encounter the grossest ignorance and its attendant vices, will also have to endure great bodily hardships and privations. But this is not the time for enlarging farther on this point, or on the suggestion of my hon. friend. It will not, I know, escape him, passing over other objections to the measure, that it necessarily implies, that the missionaries who are to officiate in India, are to be expressly commissioned and employed by the state, or by the East India Company; whereas, I am persuaded, we shall all concur in thinking, that it ought to be left to the spontaneous benevolence and zeal of individual Christians, controuled of course by the discretion of government, to engage in the work of preaching the Gospel to the natives in our Indian territories; and that the missionaries should be clearly understood to be armed with no authority, furnished with no commission, from the governing power of the country.

Allow me, Sir, before we proceed farther, to endeavour to do away a misconception of the thirteenth Resolution, which appears generally to prevail, that the only object it has in view is, to secure, to such missionaries as the Board of Controul shall sanction, permission to go to India, and to remain there, so long as they shall continue to exercise the duties of their office in a peaceable and orderly manner. This undoubtedly is one object of the Resolution, but by no means the only, perhaps not the principal, one. I beg you to observe, that the very terms of the Resolution, expressly state, that "we are to enlighten and inform the minds of the subjects of our East Indian empire." And after much reflection, I do not hesitate to declare, that, from enlightening and informing them, in other words, from education and instruction, from the diffusion of knowledge, from the progress of science, more especially from all these combined with the circulation of the Holy Scriptures in the native languages, I ultimately expect even more than from the direct labours of missionaries, properly so called.

By enlightening the minds of the natives, we should root out their errors, without provoking their prejudices; and it would be impossible that men of enlarged and instructed minds could continue enslaved by such a monstrous system of follies and superstitions as that under the yoke of which the natives of Hindostan now groan. They would, in short, become Christians, if I may so express myself, without knowing it.

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* From the Original Edition, printed for J. Hatchard, Piccadilly.

Before I enter further into the argument, more especially after what we have lately heard from several of my opponents, it is due to myself, as well as respectful to the House, to state, that though I cannot, like them, speak of India from my own personal observation, yet that I do not presume to address them on this important question, without having studied it with the most strenuous and persevering diligence. That my attention has been long directed to the subject, will indeed sufficiently appear, when I remind the House, that I had the honour, in 1793, of moving the Resolution of late so often referred to, which declared it to be the duty of the legislature, to diffuse among our East Indian fellow-subjects the blessing of useful knowledge and moral improvement; a Resolution which, with little or no opposition, was repeatedly sanctioned by the approbation of the House: and I can truly declare, that I have never since lost sight of this great object, though various circumstances concurred in preventing my again bringing it before the House: above all, that of my being, for almost the whole of that period, engaged in the pursuit of an object of a kindred nature.

Before I enter into the argument, let me also clear away another misconception which has sometimes prevailed, by distinctly and most solemnly assuring the House, that, in the work of conversion, I abjure all ideas of compulsion; I disclaim all use of the authority, nay, even of the influence, of government. I would trust altogether to the effects of reason and truth, relying much on the manifest tendency of the principles and precepts of Christianity to make men good and happy, and on their evident superiority in these respects, more especially when the minds of the natives shall become more enlarged and instructed than they are at present, over the monstrous and absurd superstitions of their native faith.

And now, Sir, let me enter into the discussion, by assuring the House, that there never was a subject which better deserved the attention of a British parliament than that on which we are now deliberating. Immense regions, with a population amounting, as we are assured, to sixty millions of souls, have providentially come under our dominion. They are deeply sunk, and by their religious superstitions fast bound, in the lowest depths of moral and social wretchedness and degradation. Must we not then be prompted by every motive, and urged by every feeling that can influence the human heart, to endeavour to raise these wretched beings out of their present miserable condition, and above all to communicate to them those blessed truths which would not only improve their understandings and elevate their minds, but would, in ten thousand ways, promote their temporal well-being, and point out to them a sure path to everlasting happiness?

But our opponents confidently assure us, that we may spare ourselves the pains; for that the natives of Hindostan are so firmly, nay, so unalterably, attached to their own religious opinions and practices, however unreasonable they may appear to us, that their conversion is utterly impracticable.

I well know, Sir, and frankly acknowledge, the inveterate nature of the evils with which we have to contend; that their religious system and customs have continued with little alteration, for perhaps thousands of years; that they have diffused themselves so generally throughout all their institutions and habits, as to leaven, as it were, the whole mass both of their public and private lives: but, nevertheless, Sir, I boldly affirm, that this position, that their attachment to their own institutions is so fixed that it cannot be overcome, is a gross error, abundantly falsified by much, and even by recent, experience. I beg the House to attend to this point the more carefully, because it serves as a general test by which to estimate the value of the opinions so confidently promulgated by the greater part of those gentlemen who have spoken of Indian affairs, both in this House and out of it, from personal experience. This is a persuasion universally prevalent among them; and if it can be disproved, as easily, as it will shortly I trust appear to you to be, it will follow, that those gentlemen, however respectable where their understandings have fair play, in point both of natural talents and acquired knowledge (aud no man admits their claim to both more willingly than myself), are here under the influence of prejudice, and are not therefore entitled to the same degree of weight as if they were free from all undue bias.

And first, Sir, it might afford a strong presumption against the absolute invincibility of the religious principles and customs of the Hindoos, that great and beneficial reforms have been effected in various other most important instances in which their existing systems were, so far as we know, equally dear to them, and which were conceived to be equally unchangeable; for even in these, their religion was more or less implicated, because, as I before remarked, it has been most artfully diffused throughout all their other institutions.

In proof of this assertion, it may be sufficient to specify that mighty change introduced about twenty years ago, by which the British government granted to all classes of landholders an hereditary property in their estates; a privilege till then unknown in Asia: the rents to be paid to government, which, as sovereign of the country, was proprietor of the soil throughout all India, were equitably and unalterably settled; and I ought not to omit to state, that care was taken to secure to the inferior occupants, no less than to the great chieftains, the secure possession of their properties without any increase of their rents.

Again: the most important reforms have been introduced into the judicial system; and in the military, even the most confirmed religious principles and habits have in some particulars been quietly overcome, and have fallen into disuse, with little or no observation. Nay, the general spirit of our government, as it respects the natives, has for some time been such, as even that passionate lover of liberty, sir William Jones, dared not to anticipate in the case of the natives of India; whom with pain, he, but a few years before, had pronounced to be given up to an unmitigated and unalterable despotism.

But it is not only where their religion has been indirectly concerned, that it has appeared that their institutions are susceptible of the same changes which have taken place in every other country; but also, in many instances in which religion has been directly in question. How else can we account for that immense number of Mahometans, estimated at from ten to fifteen millions, scattered over India, most of whom are supposed by the best judges to be converts from the Hindoo faith? And let me remind you of the stern and persecuting spirit of Mahometanism, and of the increased difficulty which would be thereby occasioned; since it is now an established truth, that persecution counteracts her own purpose and promotes the prevalence of the religion she would suppress.

Again: what shall we say of the whole nation of the Seiks, so numerous, as to be supposed able to raise 200,000 horse, who within a few centuries have forsaken the Hindoo faith, and freed themselves from its burthensome restrictions?*

The followers of Budha also, who reject Caste, are very numerous; and within the pale of the Hindoo faith itself, different sects spring up from time to time as in other countries. Mr. Orme says, "Every province has fifty sects of Gentoos, and every sect adheres to different observances."

But we have still surer grounds of hope; we have still better reasons than these for believing, that there is nothing in the nature or principles of a Hindoo which renders it impossible for him to become a Christian; for it is notorious, that from the earliest times there have been many churches of native Christians in India. For the whole of the last century, the work of conversion has been going on with more or less success; and at this moment, there are hundreds of thousands of native Christians in the East Indies.

But here again, in justice to my argument, I cannot but remind the House of the signal example which this instance affords of the utter ignorance of our opponents on the subject we are now considering: for a gentleman of high character, of acknowledged talents and information, who had passed thirty years in India, and who having fairly made his way to the first situations, possessed for full ten years a seat in the Supreme Council in Bengal, stated at your bar, that he had never heard of the existence of a native Christian in India, until after his return to England; he then learned the fact, to which, however, he seemed to give but a doubting kind of assent, from the writings of Dr.

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* Sir J. Malcolm's highly interesting publication concerning the Seiks, suggests many most important considerations respecting the mischiefs which, if not provided against by timely precautions, may hereafter result from the galling and severe pressure of the system of Castes on the lower orders of India.

Buchanan. Can any thing more clearly prove, that gentlemen, instead of seriously turning their minds to the subject, and opening their eyes to the perception of truth, have imbibed the generally prevailing prejudices of men around them, without question, and have thus suffered themselves to be led away to the most erroneous conclusions.

Let me mention also another circumstance, which well deserves consideration. If the assertion of our opponents were correct, that the sensibility of the natives of India in all that regards their religion, is so extremely great that they can scarcely listen with temper or patience to any arguments that are urged against it, it would naturally follow, that the Christian missionaries, if, even from the dread of punishment, their lives should be safe, would be universally regarded with jealousy and detestation; whereas, as if on purpose to confute the unreasonable prejudices of our opponents, the most zealous, laborious, and successful missionaries have commonly been, among all classes of the natives, the most esteemed and beloved of all the Europeans; and, let me repeat it, this is not only true of the ever memorable Swartz, but of Gerické, of Kolhoff, &c., as well as of Ziegenbalg and his colleagues, the missionaries of a preceding generation. Swartz's eulogium it is unnecessary for me to pronounce, because our opponents themselves are loud in his praise. And it is acknowledged that, during his long and laborious ministry, he was among the natives, from the greatest to the least, an object of the highest respect and warmest affection.

But an hon. baronet rather insinuates, that Mr. Swartz's popularity among the natives might arise from points in his character which were less estimable in a religious view. Swartz, says the hon. baronet, was a politician. Yes, Sir; I thank the hon. baronet for reminding me of it; Swartz was a politician, but not a volunteer in that service: he became a politician at the earnest and importunate intreaty of the East India government; because, having to negociate with Hyder Ally, they could find no one in whose integrity and veracity that chieftain would confide, but Swartz the missionary; he therefore became a politician, and an accredited envoy, because, as a missionary, he had secured to himself the universal confidence both of Mahometans and of Hindoos.

But even Swartz's converts, it is alleged, were all of the lowest class of the people, wretches who had lost caste, or were below it; and the same assertion is generally made concerning the native Christians at this day. This again, Sir, is one of those wretched prejudices which receive easy credence, because they fall in with the preconceived notions of the receiver, and pass current from man to man without being questioned, in spite of the plainest and most decisive refutation. Even our opponents themselves will refer to Mr. Swartz's own authority; and that excellent man having happened to read in India much such a speech concerning missionaries as the hon. baronet has this day uttered, which had been made in the India-House the year before, by Mr. Montgomery Campbell, he positively contradicted all those stale assertions in disparagement of the missionaries and their followers, which had been so generally circulated; among the rest, this of the low degraded quality of their converts; by stating that if Mr. Campbell had even once attended their church, he would have observed, that more than two thirds were of the higher caste, and so it was, he said, at Tranquebar and Vepery. In like manner, Dr. Kerr, who was officially commissioned by the Madras government, in 1806, to visit the Malabar coast, for the express purpose of obtaining every possible information in regard to the establishment, &c. of the Christian religion in that part of the peninsula, after stating, that the character of the native Christians, whose numbers, according to the best accounts, are estimated at from 70 to 80,000, is marked by a striking superiority over the heathens in every moral excellence, and that they are remarkable for their veracity and plain dealing, adds, "They are respected very highly by the Nairs" (the nobility of the country), "who do not consider themselves defiled by associating with them, though it is well known that the Nairs are the most particular of all the Hindoos in this respect; and the Rajahs of Travancore and Cochin admit them to rank next to Nairs*."

Again: a letter from a respectable gentleman in India to the venerable and justly honoured dean of Westminster, Dr. Vincent, published in the Report of 1799 of the Society for promoting Christian knowledge, mentions the almost universal prevalence of the grossest misconceptions, concerning the native converts to Christianity, and strongly opposes them. After stating that the number is very considerable, he adds; "That they consist of the lower or Pariar cast is a vulgar error; and instead of being, as is often asserted, despised and contemptuously treated by their fellow natives, they are universally respected." He proceeds, however: "You may ask five gentlemen out of six, who return from India, their opinion of the state of the native Christians; their reply will probably be, that they see no use in the endeavours to propagate Christianity there; and this will be followed by a repetition of the common place idea, transferred from one to another without examination, 'What can a black fellow know about Christianity?'" I dwell the more, Sir, on this topic, because, how little soever deserving of notice these prejudices may appear to the eye of truth and reason, they are in fact the most powerful enemies with which we have to contend. Dr. Vincent's correspondent truly remarks; "It is from this sort of cant and jargon of ignorance and indifference, that false ideas respecting the native converts have been instilled into the minds of many at home." Miserable, however, as this jargon may be in the estimation of Dr. Vincent's correspondent, it is not to be despised, when its tendency is to detain an immense region of the earth in darkness and degradation. What we have heard in this House may convince us, though it is with pain and shame that we witness the anomaly, that men of excellent understandings and of liberal and well-informed minds can be misled by these groundless prepossessions. Even the excellent historian, Dr. Robertson, did not escape this contagion. Though commonly he is most justly to be respected for the accuracy of his statements, he seems, though reluctantly, to admit the impracticability of converting the natives of India; and states, that in 200 years, the converts amount but to about 12,000 in number; whom also, if I mistake not, he represents to be of the very lowest of the people, and, in direct contradiction to the most decisive testimony, to be, even after their conversion, a disgrace to the Christian name. I could multiply facts and arguments; but I trust, Sir, I have already decidedly established, that this notion of its being impracticable to convert the Hindoos is a vain and groundless theory; and that, in maintaining the opposite position, my friends and I stand on the solid and sure ground of abundant and indisputable experience.

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* See Dr. Kerr's Report to the Madras government, dated November 3, 1806.

But our opponents encouraging one another in their error, take still higher ground, and affirm, that if it were practicable to convert the Hindoos to Christianity, it is not desirable. The principles of the Hindoos are so good, their morals are so pure; better than our own, as we are told by more than one hon. gentleman; that to attempt to communicate to them our religion and our morality, is, to say the least, a superfluous, perhaps a mischievous, attempt.

This, by the way, is no new doctrine; but, considering its origin, it is not altogether without shame, as well as grief, that I find it receiving any countenance in this assembly. It sprang up among the French sceptical philosophers, by whom it was used for the purpose of discrediting Christianity, by shewing, that in countries which were wholly strangers to its light, the people were in general more gentle and peaceable, and innocent and amiable, than in those countries which had for the longest period professed the Christian faith. After the practical comment, however, which a neighbouring kingdom has afforded of the doctrines of the French philosophers, the opinions of our opponents will not experience a more favourable reception in this House, or in this country, on account of their issuing from such a source.

But really, Sir, I can only say, that if the principles and morals of our East Indian fellow-subjects were indeed so admirable, if they were ever better than our own, it would be a fact that would belie the experience of all other times and countries. When was there ever yet a nation on which the light of Christianity never shone, which was not found in a state of the grossest moral darkness, debased by principles and practices and manners the most flagitious and cruel? Is not this true of all the most polished nations of antiquity? Did not more than one practice prevail among them, sanctioned often by the wisest and the best among them, which in all Christian countries would now be punished as a capital crime? But, Sir, have not moral causes their sure and infallible effects? Is it not notorious that the nations of India have, from the very earliest times, groaned under the double yoke of political and religious despotism? And can it then be maintained, that these must not have produced a proportionate degradation of their moral character? And is it in a British House of Commons, above all other places, where such a doctrine as this is maintained? Are we so little sensible of the value of the free constitution and religious liberty which we enjoy, and so little thankful for them, as to tolerate such propositions? No, Sir: I trust we shall be protected by our feelings, no less than by our understandings, against being carried away by any such delusions. No, Sir: the common sense of mankind, in this country at least, is not to be so outraged; and, in truth, we find the morals and manners of the natives of India just such as we might have been led to expect from a knowledge of the dark and degrading superstitions, as well as of the political bondage, under which they have been so long bowed down. To which I may add, that, such is the nature of their institutions and customs, that not religion only, but common humanity, should prompt us to exert all legitimate methods for producing the discontinuance of them.

But honourable gentlemen have read us passages from their religious books, some of which breathe a strain of pure and even sublime morality. The Institutes of Akbar also have been quoted upon us, and a learned work by a Bengal officer has been published, resting almost entirely on this basis, with large extracts from the sacred writings of the Hindoos.

Let me beg the attention of the House, while I ask such of our opponents as urge this argument, whether they did or did not know that which is an undeniable fact (I refer to Mr. Halhed's translation of the Hindoo laws), that if a Soodra should get by heart, nay, if he should read, or even listen to the sacred books, the law condemns him to a most cruel death. If our opponents were ignorant of this, it shews how little they are qualified to be safe guides to us in the road we are now travelling: if they knew it, was it candid, nay, Sir, was it fair, to quote these passages of sublime morality, in proof of the superior moral state of the bulk of the East Indian population? Why, Sir, it is much the same in India (only worse) as it was among the most polished nations of the Pagan world. There, they had their exoteric and their esoteric doctrines; and while, in the writings of their philosophers, we meet with passages of high moral excellence, we know, that the moral opinions and practice of the bulk of the people were such as would appear to us at this day almost insufferably depraved, absurd, and monstrous. Where can we find more elevated strains than in the lofty speculations of the imperial philosopher Antoninus? And in return for the Institutes of Akbar I might name those of Tamerlane, justly declared by one of our opponents to be one of the most bloody tyrants that ever disgraced a throne, which are yet declared by Mr. Gibbon to form one of the most perfect systems ever published on the basis of absolute monarchy.

The topic we are now considering is of so great importance, that in justice to my argument, I must be permitted to enlarge upon it; though, after all, I must leave much unsaid, in order that I may not trespass on the indulgence of the House too largely; and as the authority of several gentlemen, long resident in India, is urged upon us in proof of the probity and superior morality of the natives of India, I must beg leave to bring forward my authorities also. And when the House shall have heard all I have to adduce, I am confident, that not a doubt will remain in their minds, that my representation of the moral character of the natives of India is borne out by an irresistible weight of unobjectionable testimony. And first, Sir, let me quote to you some general opinions of the moral state of the Hindoos, which have been given by authors of established credit, as well as by others whose authority is still higher, persons who held high stations in the Company's service for many years, and who, from having lived so long, and having had so much intercourse with them, must be supposed to have been perfectly acquainted with their real character. Several of the passages which I am about to read to you, are contained in a most valuable document lately laid before the House, the work of a dear and most honoured friend of mine, a member of this House*, whose excellent understanding and acknowledged worth entitle all his opinions to be received with the utmost deference, and whose long residence in India and familiar acquaintance with its inhabitants have rendered him peculiarly competent to form a correct judgment on the point which we are now considering.

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* I refer to a Memoir, by Mr. Grant, on the Moral State of India, the causes which have produced, and suggestions for improving it. The Memoir was principally written as long ago as 1792, soon after his return from India, and was laid before the Court of Directors in 1797. It contains within a small compass, a large store of most valuable information con-

The first witness I shall bring forward is the traveller Bernier, an author of such established credit that his work was allowed to be received as evidence at Mr. Hastings's trial. He, who travelled among the natives about one hundred and fifty years ago, places the character of the people in general, and more especially that of the brahmins, in the most unfavourable light; but as he no where gives a summary view of it, I will only refer generally to his high authority. The same unfavourable character of them, and more especially of the brahmins, is also expressed by Mr. Scrafton*, whose instructive work was published about fifty years ago; and Mr. Orme, the excellent historian of the Carnatic, leads us to form a still lower estimate of their moral qualities. "Were not the Gentoos infamous for the want of generosity and gratitude in all the commerces of friendship; were they not a tricking, deceitful people in all their dealings; their charity could not be deemed to arise from the influence of superstition."—Orme's India, vol. 4, 4to. p. 434.

"Every offence is capable of being expiated by largesses to the brahmins, prescribed by themselves according to their own measures of avarice and sensuality."

Orme's character of the East-Indian Mahomedans is still more unfavourable than that of the brahmins. "A domineering insolence towards all who are in subjection to them, ungovernable wilfulness, inhumanity, cruelty, murders, and assassination, perpetrated with the same calmness and subtlety as the rest of their politics, and insensibility to remorse for these crimes, which are scarcely considered otherwise than as necessary accidents in the course of life; sensual excesses, which revolt against nature; unbounded thirst of power, and a rapaciousness of wealth equal to the extravagance of his propensities and vices!" "This is the character of an Indian Moor."—Orme, on the Manners, &c. of the Indian Moors, Ibid. p. 423.*

Governor Holwell gives a summary account of the native East-Indian character in such clear terms that his own words shall be quoted; and let it be remembered that Holwell's mind, to say the least, was not in any degree biassed by his attachment to the Christian system, as compared with that of the natives of India:—"A race of people, who, from their infancy, are utter strangers to the idea of common faith and honesty. The Gentoos in general are as dangerous and wicked a people as any race of people in the known world, if not eminently more so, especially the common run of brahmins. We can truly aver, that during almost five years that we presided in the judicial cutcherry court of Calcutta, never any murder or other atrocious crime came before us, but it was proved in the end, a brahmin was at the bottom of it."

Lord Clive's† testimony is given in the same clear and compendious language:—"The inhabitants of this country we know, by long experience, have no attachment to any obligation."

An equally unfavourable character of them is given by governor Verelst ‡, especially in respect of avarice, treachery, and ingratitude.

Mr. Shore || (now Lord Teignmouth) paints their character in still darker colours:—"The natives are timid and servile: individuals have little sense of honour, and the nation is wholly void of public virtue. They make not the least scruple of lying, where falsehood is attended with advantage. To lie, steal, plunder, ravish, or murder, are not deemed sufficient crimes to merit expulsion from society."

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cerning the religion and laws, the social and moral state and character, of the Hindoos. It is earnestly to be hoped, that his great modesty may not prevent his publishing to the world this valuable document, and thereby obtaining for it a more general perusal.

* Reflections on the Governments of Hindostan, by Luke Scrafton, esq.

* Well might Mr. Orme exclaim, after so humiliating a picture of human depravity, "How grateful, how noble, are the reflections inspired by such a retrospect, in favour of the cause of Christianity, and in favour of the cause of liberty!"—Orme's India, vol. 4, p. 430.

† See Bolt's Considerations, vol. 3.

‡ See Verelst's View of the English Government in Bengal.

|| See the Parliamentary proceedings against Mr. Hastings.

"With a Hindoo all is centered in himself; his own interest is his guide." With other particulars of a similar complexion.

Sir John Macpherson, who was governor-general between twenty and thirty years ago, commenting on the foregoing description, thus confirms the accuracy of the delineation: "I am afraid that the picture which he (Mr. Shore) draws, and the low ebb at which he states the popular virtues of the Bengalese, are not fictitious representations."

Lord Cornwallis proved by his conduct that he considered the natives as unworthy of all confidence; for, contrary to the general usage of men occupying such stations as he filled, he never reposed any trust in any one of them, nor placed a single individual, either Hindoo or Mahomedan, about his person, above the rank of a menial servant.

It is not, perhaps, unworthy of notice, that a character equally unfavourable of the natives of Hindostan, was given four hundred years ago by their great conqueror Tamerlane. "The native of Hindostan," he says, "has no pretensions to humanity but the figure; whilst imposture, fraud, and deception, are by him considered as meritorious accomplishments."—The foregoing compilation of authorities is closed by my hon. friend, with the following compendious delineation of the native Indian character.

"Upon the whole, we cannot help recognizing in the people of Hindostan a race of men lamentably degenerate and base; retaining but a feeble sense of moral obligation; obstinate in the disregard of what they know to be right; governed by malevolent and licentious passions; strongly exemplifying the effects produced on society by great and general corruption of manners; sunk in misery by their vices, in a country peculiarly calculated by its natural advantages to promote the happiness of its inhabitants."

But we are far from having laboured through the long and melancholy succession of witnesses, who attest the moral degradation of the natives of India. Several of the passages I have already recited are accounts of earlier times; and it might perhaps be hoped, that the moral character of the natives has been improved, in consequence of their having lived so long under our government. Alas, Sir! grieved I am to be under the necessity of stating, that this is by no means the fact. I might, I fear, go still farther, and affirm, that the moral standard of the natives has been even deteriorated of late years. The first witness whom I shall call in proof of the present depraved state of the natives of India, is a gentleman well known in this House for his talents and his eloquence, and whom there is reason, I trust, to believe, that we shall shortly have the honour of including in our number: I scarcely need explain, that I am speaking of sir James Mackintosh. He, it is well known, lately presided on the bench of justice in Bombay; and in a charge to the grand jury at Bombay, delivered in the year 1803, he thus expressed himself: "I observe, that the accomplished and justly celebrated person, sir William Jones, who carried with him to this country a prejudice in favour of the natives, which he naturally imbibed in the course of his studies, and which in him, though not perfectly rational, was neither unamiable nor ungraceful, I observe, that even he, after long judicial experience, reluctantly confessed their general depravity. The prevalence of perjury which he strongly states, and which I have myself already observed, is perhaps a more certain sign of the general dissolution of moral principle than other more daring and ferocious crimes, much more horrible to the imagination, and of which the immediate consequences are more destructive to society."

Again, at a subsequent period, he remarks; "An offence, of the frequency of which I formerly spoke from information, but can now speak from large and deplorable experience, I mean perjury.—"

A melancholy proof of the low standard of morals in the East was afforded on one of the occasions which drew from sir James Mackintosh the above remarks. A woman who was one of the witnesses, having prevaricated shockingly, was asked by the Recorder, "Whether there was any harm in false swearing?" she answered, "that she understood the English had a great horror of it, but there was no such horror in her country." See the Bombay Law Reports, given in the Asiatic Register for 1804.

But, perhaps, the most decisive proofs of all are contained in the answers to certain interrogatories concerning the moral state of the natives, which were sent round by lord Wellesley, when governor-general. Lord Wellesley, wishing to obtain the most authentic and complete information, would of course consult such persons as he conceived to be best qualified from the situations which they occupied, to give him the intelligence which he desired. He therefore applied to the judges of circuit, and also to magistrates permanently settled in the different provinces. A vain attempt, indeed, has been made to do away the effect of this testimony, by asking what judgment we should form of the moral character of our own people, if we were to take our estimate of it from the criminals who fill our gaols. I must say, I wonder that the hon. gentlemen who held this language, were not checked by recollecting that they were in reality reflecting strongly on the discretion of lord Wellesley himself, for having applied for information to a description of persons which he ought to have known not to be qualified to supply it. But, Sir, you will observe, that it is concerning the general character of the natives that the gentlemen interrogated by lord Wellesley were questioned; and I cannot conceive that there can be any set of men better qualified in all respects to form a correct opinion of the general character and conduct of the natives, than such of the Company's servants as are resident magistrates. I will not weary the House with the whole of the melancholy detail; but a few of the answers I must lay before them. The first shall be the statement of Mr. Edward Colebrook, second judge of the Patna court of circuit, dated Patna, 21st April, 1804. "Another not less heinous offence attaching to those affrays is perjury, to which recourse is invariably had, both for the prosecution and defence of such charges. To such a pitch of audacity has this crime long since reached in this province, that a total distrust of human testimony, on every occasion, is the consequence. No rank, no caste, is exempt from the contagion. A zemindary dewan, a brahmin, who had circumstantially sworn to the nature and number and to the authors of the wounds on two of his cutcherry amla, alleged to have been murdered in an attempt to dispossess him from the cutcherry, scarcely blushed when the two men were produced alive and unhurt in court, and merely pleaded that had he not sworn as directed, he should have lost his employ."

Let me now read an equally humiliating extract from the answers of Mr. J. D. Paterson, judge of Decca, Jellelpore, &c. to the president, &c. members of the police committee, 30th Aug. 1799. "As a picture of human degradation and depravity can only give pain to a reflecting mind, I shall be as brief as possible, consistently with the necessity of furnishing the required information. Their minds are totally uncultivated; of the duties of morality they have no idea; they possess in a great degree that low cunning which so generally accompanies depravity of heart. They are indolent and grossly sensual; they are cruel and cowardly, insolent and abject. They have superstition without a sense of religion; and in short they have all the vices of savage life, without any of its virtues. If we look a step higher, we find the same total want of principles with more refined cunning, no attachment but what centers in self, for the ties of relationship seem only to render inveteracy more inveterate."

"Even the honest men," say the judges of circuit, in a report made on terminating their session; "Even the honest men as well as the rogues are perjured. The most simple and the most cunning alike make assertions that are incredible, or that are certainly false."

"In the course of our judicial duties," says the report from Moorshed abad, court of appeal and circuit (26th Jan. 1802,) "we still meet with the same barefaced disregard of truth which always characterised the natives of India."

"No falsehood," says judge Stracey, "is too extravagant or audacious to be advanced before the court of circuit. Perjury is extremely common."—5th Report of Committee on East India Affairs.

"They are probably somewhat more licentious than formerly. Chicanery, subornation, and fraud and perjury are certainly more common."—Judge Stracey's Answer to Interrogatories, 30th Jan. 1802.

"The lower classes are in general profligate and depraved. The moral duties are little attended to by the higher ones. All are litigious in the extreme, and the crime of perjury was never, we believe, more practised amongst all ranks than at present."—Answers of Magistrates of the 24 Pergunnahs to Interrogatories, &c.

But perhaps the House may, with the least trouble, form a summary opinion of the result of the answers alluded to, by hearing an extract from a judicial letter from the court of directors to Bengal, dated 25th of April 1806, which will shew the impression which the information they had received had made on their minds;

and I beg leave to recommend it the rather to the attention of the House, because it will shew what was then the court of directors' opinion of the moral character of the natives of India, however some of them may now have been led, I must rather say misled, into forming different sentiments. "The nefarious and dangerous crime of perjury we are much concerned to find continues to prevail in all directions, and even increases to such a pitch as to baffle and perplex the judicial proceedings of the courts, so that the judge receives all oral testimony with distrust, and is frequently obliged to investigate the character of the witness more closely than that of the criminal." The directors very judiciously go on to remark on the probable cause of this low state of moral principle :—"The little obligation attached by the natives to an oath seems to proceed, in a great degree, from the nature of their superstitions and the degraded character of their deities, as well as the almost entire want of moral instruction among them ; and this points to the necessity of other remedies, as well as to the most rigorous punishment of a crime so hurtful to society as perjury."

If such be the moral state of the natives in general, we might well expect, at least it would be expected by all who have a just sense of the intimate connection between virtue and humanity, and on the contrary between depravity and cruelty, that the crimes of actual violators of the laws, and not of an individual criminal, but of the class of robbers in general, would be extremely shocking ; but I quote the following passage from Mr. Dowdeswell's Report on the Police of Bengal, in order to counteract that strange and most unjust persuasion, which has been attempted to be diffused, that the Hindoos are a gentle and humane people. "Were I to enumerate only a thousandth part of the atrocities of the Decoits (a set of hereditary robbers), and of the consequent sufferings of the people, and were I to soften that recital in every mode which language would permit, I should still despair of obtaining credit solely on my own authority for the accuracy of the narrative."—Mr. Dowdeswell's Report on the General State of the Police of Bengal, p. 603.

"Robbery, rape, and even murder itself, are not the worst figure in this hideous and disgusting picture. Volumes might be filled with the recital of the atrocities of the Decoits, every line of which would make the blood run cold with horror." Ibid.

I could corroborate my general representation of the moral degradation of the Hindoos, by still farther extracts, selected from that massy volume on the table.* But I will adduce but one more. taken from a document I have already referred to, the letter to the venerable dean of Westminster, Dr. Vincent. Speaking generally of the morals of the natives, his correspondent says ; "The state of morality among the natives is very low indeed. I have had transactions with many of those who have the character of most respectable men, rich, and of good credit. I declare to you, I never met with one who had any idea of the obligation of an oath, or who would not break it without scruple, provided the crime could be effected without discovery and punishment, and produce to him a pecuniary profit. There may be natives of a different character ; all I can say is, that I never met with one. I am speaking of those who are not Christians. Now I am clear, that no man, in the course of his dealings in England with various characters for some years, could truly make a similar assertion."

Before we dismiss the long and melancholy train of witnesses whose estimate of the moral character of the natives of India I have been laying before you, let me beg that you will attend carefully to two considerations, which are applicable to almost all the opinions which I have adduced. These are, first, that the statements you have heard, are all of them the opinions of intelligent and respectable men, formed and given, without reference to any particular question, which happened for the time to interest and divide the public mind ; and still more, that they are the opinions of men who were upon the spot when those opinions were formed, and whose attention had been specially called to the subject of them, while the natives were actually under their view. These considerations, Sir, deserve the more attention, because, when we find conflicting testimony among men, all of whom we respect, we naturally look for circumstances which may explain the discrepancies which we witness. Without presuming to take upon me to estimate how much weight is to be assigned to this consideration, I am persuaded that our opponents themselves will frankly acknowledge, that in the two important particulars which I have just now noticed, they are oppositely circumstanced to the individuals whose testimony I have been laying before you. First, the favourable opinions of the people of India which they deliver, are such as occur to them in this country; which must render them peculiarly subject to the influence of that common cause of erroneous judgment of nations, the drawing of general inferences from individual instances; and secondly, they will not deny, that from the infirmities of our common nature, they cannot but be liable to have their opinions in some degree, though imperceptibly, biassed by the particular occasion on which they are led to form them.

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* Fifth Report from the East India Committee.

And now, Sir, after the decisive weight of testimony which I have laid before you, in proof of the general depravity of the people of Hindostan, what must we think of the soundness of the judgment pronounced by our opponents, that their morals are in general equal, nay, even superior, to those of the people of this country. We have been long accustomed, Sir, to read different characters of the same people from different travellers, of the intentions of all of whom, to speak the truth, we have entertained not the slightest suspicion; but a difference like this, I never before witnessed. In fact, however, Sir, we are relieved from our difficulty, by the very extent to which the assertion of our opponents is pushed. Had it been merely attempted to soften the colours in which we had painted the native character, you might have been more at a loss which was the correct representation. But when, instead of the dark hues which we have assigned to it, our opponents give it almost the fairest and loveliest tints of moral colouring, we are led infallibly to conclude that our opponents are either ill-informed, or that they are under the influence of prejudice; and happily, we are furnished, in the course of our discussion, with such flagrant instances of prejudice on this particular topic of religion, as to furnish a pretty clear explanation of those opinions of our opponents which would otherwise appear the most inexplicable as well as extravagant.

I have already had occasion to shew, Sir, in one notable instance, that on this subject alone of religion and morals, as connected with the East Indies, men the most able and the best informed on all other topics are strangely and lamentably ignorant. There is a sort of inaptitude, if I may so term it, in what regards the subject of religion, which we discover in the generality of the Anglo Indians, which causes their judgments, however valuable on other occasions, to fail them egregiously in this. We have a curious illustration of this remark in the Fifth Report, which I quote the rather, because I understand the character of the writer to be excellent, and his authority beyond exception in all other matters. I speak of Mr. Dowdeswell. After that shocking account of the state of the police which I lately read to the House, suitably impressed with a sense of the evils of which he had been speaking, and very justly remarking also, that these dreadful practices must be severely punished, "but that a great deal more must be done in order to eradicate the seeds of those crimes, the real sources of the evil lying in the corrupt morals of the people," he adds, (and let me beg, that gentlemen will observe that Mr. Dowdeswell very justly ascribes the perpetration of such crimes to general and moral causes, not merely to individual and accidental depravity;) "if" says he, "we would apply a lasting remedy to the evil, we must adopt means of instruction for the different classes of the community; by which they may be restrained, not only from the commission of public crimes, but also from acts of immorality, by a dread of the punishments denounced both in this world and in a future state by their respective religious opinions. The task would not, perhaps, be so difficult as it may at first sight appear to be. Some remains of the old system of Hindoo discipline still exist. The institutions of Mahomedanism of that description, are still better known. Both might be revived, and gradually moulded into a regular system of instruction for both those great classes of the community."*

We are led irresistibly, by this passage, to a conclusion, which, I confess, has been suggested to me by various other circumstances, that in the minds of too many of our opponents, Christianity and India are inconsistent, totally incompatible, ideas. We cannot but be reminded of the expression of a former ornament of this House, (a name of high authority in this country), that "the Europeans were commonly unbaptized in their passage to India." I will not presume to adopt so strong a position; but Mr. Burke himself could not have desired a stronger confirmation of his assertion, than some with which we have been supplied in the course of these discussions, more especially with this, wherein we find that a gentleman of intelligence and respectability, long resident in India, bewailing such a dissolution of the moral principle as rendered it difficult for the frame of society to hold together, and looking round solicitously for some remedy for the evil, never so much as thinks of resorting to Christianity, but proposes to resort to the revival of Hinduism and Mahomedanism, as the only expedient to which it is possible to have recourse.

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* Fifth Report on East-India Affairs, p. 617. Mr. Dowdeswell's Report on the Police of Bengal, Sept. 22, 1809.

Agreeing with him in my sense of the virulence of the disease, I differ entirely with respect to the remedy; for, blessed be God, we have a remedy fully adequate, and specially appropriate to the purpose. That remedy, Sir, is Christianity, which I justly call the appropriate remedy; for Christianity then assumes her true character, no less than she performs her natural and proper office, when she takes under her protection those poor degraded beings, on whom philosophy looks down with disdain, or perhaps with contemptuous condescension. On the very first promulgation of Christianity, it was declared by its great Author, as "glad tidings to the poor;" and, ever faithful to her character, Christianity still delights to instruct the ignorant, to succour the needy, to comfort the sorrowful, to visit the forsaken. I confess to you, Sir, that but for my being conscious that we possessed the means of palliating, at least, the moral diseases which I have been describing, if not of effecting a perfect cure of them, I should not have had the heart to persevere in dragging you through the long and painful succession of humiliating statements to which you have been lately listening. For, believe me, Sir, though I trust that to many in this House, I scarcely need to vindicate myself against such a charge, that it is not to insult over the melancholy degradation of these unhappy people, or to indulge in the proud triumph of our own superiority, that I have dwelt so long on this painful subject: but it is because I wish to impress you with a just sense of the malignity of their disease, that you may concur with me in the application of a remedy: for, I again and again declare to you, a remedy there doubtless is. God forbid that we should have only to sit down in hopeless dejection, under the conviction, that though these evils exist they are not to be removed. Sir, such a supposition would be absolute blasphemy; to believe that the Almighty Being, to whom both we and our East Indian fellow-subjects owe our existence, has doomed them to continue for ever, incurably, in that wretched state of moral depravity and degradation, in which they have hitherto remained! No, Sir, Providence has provided sufficient means for rescuing them from the depths in which they are now sunk, and I now call on you to open the way for their application; for to us, Sir, I confidently hope, is committed the honourable office of removing the barrier which now excludes the access of Christian light, with its long train of attendant blessings, into that benighted land, and thus, of ultimately cheering their desolate hearts with the beams of heavenly truth, and love, and consolation. And therefore, Sir, I indignantly repel the charge which has been unjustly brought against me, that I am bringing an indictment against the whole native population of India; and "what have they done to provoke my enmity?" Sir, I have lived long enough to learn the important lesson, that flatterers are not friends: nay, Sir, they are the deadliest enemies. Let not our opponents, therefore, lay to their souls this flattering unction, that they are acting a friendly part towards the Hindoos. No, Sir: they, not I, are the real enemies of the natives of India, who, with the language of hollow adulation and 'mouth honour' on their tongues, are in reality recommending the course which is to keep those miserable beings bowed down under the heavy yoke which now oppresses them. The most able of our opponents has told us, that some classes of the natives are as much below others as the inferior animals are below the human species. Yes, Sir, I well know it; and it is because I wish to do away this unjust inequality, to raise these poor brutes out of their present degraded state to the just level of their nature, that I am now bringing before you their real character, and explaining to you their true condition. And am not I, therefore, acting the part of the real friend? For true friendship, Sir, is apprehensive and solicitous: it is often jealous and suspicious of evil; often it even dreads the worst concerning the objects of its affection, from the solicitude it feels for their well-being, and its earnestness to promote their happiness.

Animated, Sir, by this unfeigned spirit of friendship for the natives of India, their religious and moral interests are undoubtedly our first concern; but the course we are recommending tends no less to promote their temporal well-being, than their eternal welfare; for such is their real condition, that we are prompted to endeavour to communicate to them the benefits of Christian instruction, scarcely less by religious principle than by the feelings of common humanity. Not, Sir, that I would pretend to conceal from the House, that the hope which, above all others, chiefly gladdens my heart, is that of being instrumental in bringing them into the paths by which they may be led to everlasting felicity. But still, were all considerations of a future state out of the question, I hesitate not to affirm, that a regard for their temporal well-being would alone furnish abundant motives for our endeavouring to diffuse among them the blessings of Christian light and moral instruction.

And surely it cannot be necessary for me to attempt in this place to prove, that though much of the large mass of comforts which we in this country enjoy, beyond those, I believe, of any other nation in ancient or in modern times, is owing to our invaluable constitution, yet that it is in no small degree, also, to be ascribed to our religious and moral superiority; for it is with gratitude alike, and with pleasure, that I declare my firm persuasion, that the influence of Christianity is greater in this country than in any other upon earth.

But surely, Sir, after the account we have received of the low state of morals among the natives of India, it cannot be necessary for me to prove by a reference to their various institutions, or to the circumstances of their social condition, that their situation is such as to interest every humane mind in improving it. For certainly such an enlightened assembly as this needs scarcely to be reminded, that the moral Governor of the universe has established a never-failing and inseparable connection between vice and misery, though for a time they may appear dissevered, and vice may seem even to have associated herself with happiness. Sir, the evils of India are not merely such as a despotic government never fails to introduce and continue. In countries, great countries especially, groaning under the most absolute despotism, there may often be much domestic and even social happiness. It was to the condition of the subjects of an absolute government, that our great poet beautifully alluded when he observed,

"With secret course, which no loud storms annoy,
"Glides the smooth current of domestic joy."

And truly in the main, though somewhat too broadly and strongly shaded, he adds,

"Of all the ills that human hearts endure,
"How few, that courts or kings can cause or cure."

But the evils of Hindostan are family, fireside evils: they pervade the whole mass of the population, and embitter the domestic cup, in almost every family. Why need I, in this country, insist on the evils which arise merely out of the institution of Caste itself; a system which, though, strange to say, it has been complimented as a device of deep political wisdom, must surely appear to every heart of true British temper to be a system at war with truth and nature; a detestable expedient for keeping the lower orders of the community bowed down in an abject state of hopeless and irremediable vassalage. It is justly, Sir, the glory of this country, that no member of our free community is naturally precluded from rising into the highest classes in society. And, in fact, we have all witnessed instances of men who have emerged out of their original poverty and obscurity, and have risen to the highest level by the inborn buoyancy of their superior natures; our free constitution, to which such occurrences are scarcely less honourable than to the individuals who are the subjects of them, opening the way for the developement, and Providence favouring the exercise of their powers. Even where slavery has existed, it has commonly been possible, (though in the West Indies, alas! artificial difficulties have been interposed,) for individuals to burst their bonds, and assert the privileges of their nature. But the more cruel shackles of Caste are never to be shaken; as well might a dog, or any other of the brute creation, it is the honourable gentleman's own illustration, aspire to the dignity and rights of man. I will not think so injuriously of our opponents as not to be persuaded, that they would indignantly spurn at the very idea of introducing such a system into this country. And are not the natives of India, our fellow-subjects, fairly intitled to all the benefits which we can safely impart to them? And if there be any which we cannot as yet venture to communicate, should we not at least be longing with eager and almost impatient expectation for the time when we can render them partakers of the best blessings which we ourselves enjoy? And here, Sir, in justice to my cause, I cannot but animadvert upon the spirit and tone with which our opponents have descanted on the impossibility of making the natives acquainted with the truths of Christianity, and of thereby effecting the moral improvement which Christianity would produce. I should have expected, Sir, if they were unwillingly compelled to so unwelcome a conclusion, as that all hopes of thus improving the natives of India must be abandoned as utterly impracticable, that they would form the opinion tardily and reluctantly, and express it with the most manifest concern. I need not remind the House with what an air of cheerfulness, not to say of levity, the declaration has been made. But it is fair to say, that one of the hon. members supplied the explanation, by plainly intimating, that in his opinion, all religions were alike acceptable to the common Father of the universe;—the same truth, a little differently expressed, as was taught by one of the brahmins, who stated to one of our missionaries, that heaven was a large palace, to which there was a number of different roads, and that each nation or individual might choose his own at pleasure. But, as I have already stated, our opponents should remember, that Christianity, independently of its effects on a future state of existence, has been acknowledged even by avowed sceptics, to be, beyond all other institutions that ever existed, favourable to the temporal interests and happiness of man: and never was there a country where there is greater need than in India for the diffusion of its genial influence.

In reasoning concerning the happiness, no less than the virtue, of any people, all who consider how many of the charities of life, how large a portion of the greatest and best of our earthly comforts, arise out of our domestic relations, will think it difficult to overrate the sum of the evils produced, and the happiness impaired and lost, from the single circumstance of the prevalence of polygamy. Here again, to prove the effects of polygamy, I would refer to one who had no peculiar zeal for Christianity; though his understanding was too enlightened, and his mind too well informed, for him not to recognize its superior excellencies; I mean, to the president Montesquieu. Would we see a lively picture of the jealousies, the heart-burnings, the artifice, the falshood, the cruelty, the rage, and the despair of which polygamy is the fertile source, let us look to that great writer's Persian Letters. And here also, Sir, we may find a decisive settlement of the question, concerning which there has been some difference of opinion, as to the rank in the scale of being which is assigned to the female sex among the natives of India. An hon. friend of mine (Mr. Smith) has quoted some passages from their great lawgiver, which speak of women in general in the most disparaging and even contemptuous terms. We see the same estimate in many of the Hindoo customs and institutions; but this system of polygamy alone might have sufficed to prove, that the female sex could not possess in India that equality, in point of nature and rank, with ours, to which it is considered to be entitled in every Christian country, and on which, in fact, so much of the real dignity and happiness as well as so many of the benefits of the married state essentially depend.

Again in India, we find prevalent that evil, I mean infanticide, against which we might have hoped that nature herself would have supplied adequate restraints, if we had not been taught by experience, that for our deliverance even from this detestable crime, we are indebted to Christianity. For it is not to philosophy, it is not to civilization; it is not to progress in refinement, or in the arts and comforts of social life; it is not even to liberty herself, that the world is indebted for this emancipation. The friends of Christianity may justly glory in the acknowledgment of one of its greatest enemies, that infanticide was the incorrigible vice of all antiquity; and it is very striking, that both in India and in China, where the light of Revelation has never penetrated, this detestable crime still asserts its superiority over nature itself, no less than over virtue. To this, in India, is added, the destruction of the sick and the aged, often by their nearest relatives.

There is another practice on the prevalence of which it is the rather necessary for me to insist, because it has been conceived by many gentlemen, otherwise well-informed on East Indian topics, that whatever may have been formerly the case, the practice now exists in a very inconsiderable degree. The House must have anticipated my mention of the burning of widows on the funeral pile of their deceased husbands. A writer of great authority, Mr. Dow, many years ago, stated the custom to have become almost extinct. But sorry I am to say, that this is so far from being the truth, that the practice, which Bernier states to have been greatly discouraged, though not absolutely prohibited, by the Mahometan government, and which, in consequence, had considerably declined, has increased since the country came under our dominion. Great pains were taken by the missionaries, a few years ago, to ascertain the number of widows which were annually burnt in a district thirty miles round Calcutta, and the House will be astonished to hear, that in this comparatively small area, 130 widows were burnt in six months. In the year 1803, within the same space, the number amounted to 275, one of whom was a girl of eleven years of age. I ought to state, that the utmost pains were taken to have the account correct; certain persons were employed purposely to watch and report the number of these horrible exhibitions; and the place, person, and other particulars were regularly certified. After hearing this, you will not be surprised on being told, that the whole number of these annual sacrifices of women, who are often thus cruelly torn from their children at the very time when, from the loss of their father, they must be in the greatest need of the fostering care of the surviving parent, is estimated, I think, in the Bengal provinces, to be 10,000; the same number at which it was calculated, many years ago, by a gentleman whose uncommon proficiency in the native languages gave him peculiar advantages in his inquiries on this subject, the highly respected brother of the late sir Robert Chambers.

Nor must we dare to flatter ourselves, though it would in truth be a wretched consolation, that, as has been sometimes stated, these sacrifices are spontaneous. Not to mention what Bernier himself relates from his own personal view, that the women are always carefully fastened down, sometimes with strong green bamboos, at others with thick strong ropes thoroughly soaked in water; which is done, as Mr. Marshman was frankly told, lest on feeling the fire they should run away and make their escape; Bernier goes on, "When the wretched victims drew back, I have seen those demons the brahmins thrusting them into the fire with their long poles." Sometimes, indeed, the relations and friends of the widow, exerting their utmost influence with her, succeed in persuading her to live; but too commonly, the poor wretches are forced into these acts of self-immolation by the joint influence of their hopes and fears. Their fears, however, are by far the more predominant of the two: and while the brahmins delude them with the hopes of glory and immortality if they consign themselves to the flames, their only alternative is a life of hard fare, and servile offices; in short, a life of drudgery, degradation, and infamy.

Such, Sir, is the number of these human sacrifices, and such the principle on which they are made. As to their nature —I should shock the feelings of the hardest heart, if I were to read to you the authenticated statements of the horrid scenes of this kind which are continually taking place; to which the people are so accustomed, that as I lately learned from a private friend of my own, who witnessed one of these dreadful transactions, a great concourse of spectators even in populous districts is not collected; and what is worse than all, the horrible scene is beheld with as much unconcern, and even levity, as we see among the lower orders in this country, when the destruction of one of the inferior animals is the subject of their savage mirth. But I will spare you the disgusting recital;* and yet I well re-

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* It would scarcely be justifiable to forbear inserting, what perhaps I was culpable in not reading to the House, the following account of one of these horrible scenes, at which the missionary, Mr. Marshman, was present a few years ago. I will extract his own words, only adding, that he is a man of the most established integrity, in the veracity of whose account entire reliance may be justly placed.

"A person informing us that a woman was about to be burnt with the corpse of her husband, near our house, I, with several of our brethren, hastened to the place: but before we could arrive, the pile was in flames. It was a horrible sight. The most shocking indifference and levity appeared among those who were present. I never saw any thing member what was said nearly in the place where I now stand on an occasion not dissimilar, by a right hon. gentleman now no more, (Mr. Fox), "that true humanity consists, not in a squeamish ear, but in feeling for the sufferings of others, and being forward and active in relieving them." And, Sir, I am perfectly sure, that people could not make up their minds to the quiet toleration of these practices; they would not suffer them, I mean, to go on, without using every lawful effort to put a stop to them; but for our having not yet learned to consider India as a part of the British empire, and its inhabitants as our fellow-subjects. The vast distance also of the scene of these barbarities tends considerably to deaden the impression which they would otherwise produce. If these transactions took place in any part of England, instead of the indifference with which they have been too long regarded by men, I am sensible, not inferior in humanity to ourselves, the public zeal would be called forth, and every possible endeavour would be used to put an end to them. But here again, Sir, we see the effects of that strange delusion by which our countrymen are led into adopting one set of morals, and principles, and even feelings, for this country, and another for India. And, although, after the proofs of the abilities of the Anglo-Indians which have been exhibited to this House in the course of this very inquiry, the grossest prejudice alone would deny that they are men of superior talents and intelligence; yet, I must say, this very consideration, that they have one rule of judging for India, and another for Great Britain, renders them judges against whose competency I must except, when the question is concerning the introduction of British religion, British morals, and British manners, among the inhabitantsof British India.

And now, Sir, I shall do little more than allude to another class of enormities, which by that very enormity, are in some measure shielded from the detestation they would otherwise incur: I allude to the various obscene and bloody rites of their idolatrous ceremonies, with all their unutterable abominations. A vain attempt has been made in a single instance to do away this charge; but had the endeavour

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more brutal than their behaviour. The dreadful scene had not the least appearance of a religious ceremony. It resembled an abandoned rabble of boys in England, collected for the purpose of worrying to death a cat or a dog. A bamboo, perhaps twenty feet long, had been fastened at one end to a stake driven into the ground, and held down over the fire by men at the other. Such were the confusion, the levity, the bursts of brutal laughter, while the poor woman was burning alive before their eyes, that it seemed as if every spark of humanity was extinguished by this accursed superstition. That which added to the cruelty was, the smallness of the fire. It did not consist of so much wood as we consume in dressing a dinner: no, not this fire that was to consume the living and the dead! I saw the legs of the poor creature hanging out of the fire while her body was in flames. After a while, they took a bamboo ten or twelve feet long and stirred it, pushing and beating the half consumed corpses, as you would repair a fire of green wood, by throwing the unconsumed pieces into the middle. Perceiving the legs hanging out, they beat them with the bamboo for some time, in order to break the ligatures which fastened them at the knees, (for they would not have come near to touch them for the world). At length they succeeded in bending them upwards into the fire, the skin and muscles giving way, and discovering the knee sockets bare, with the balls of the leg bones: a sight this which, I need not say, made me thrill with horror, especially when I recollected that this hapless victim of superstition was alive but a few minutes before. To have seen savage wolves thus tearing a human body, limb from limb, would have been shocking; but to see relations and neighbours do this to one with whom they had familiarly conversed not an hour before, and to do it with an air of levity, was almost too much for me to bear.

"You expect, perhaps to hear, that this unhappy victim was the wife of some brahmin of high cast. She was the wife of a barber who dwelt in Serampore, and had died that morning, leaving the son I have mentioned, and a daughter of about eleven years of age. Thus has this infernal superstition aggravated the common miseries of life, and left these children stripped of both their parents in one day. Nor is this an uncommon case. It often happens to children far more helpless than these; sometimes to children possessed of property, which is then left, as well as themselves, to the mercy of those who have decoyed their mother to their father's funeral pile!"

ucceeded, instead of utterly failing, as it certainly did, what would it avail when the obscene and bloody nature of the Hindoo superstitions is established by a cloud of witnesses; and I will add, when from our more intimate acquaintance with the language, books, and institutions of the natives, the light of day is at length beginning to shine into these dens of darkness, and to expose their foul contents to our disgust and abhorrence. We might easily anticipate, that the people's being accustomed to witness the most disgustingly indecent exhibitions,* in broad day, must have the effect of destroying all that natural modesty which the Almighty has implanted in us for the most beneficial purposes. And such is in truth the fact: and a gentleman, whose name, if it were mentioned, would at once establish the undeniable truth of any statement which is made on his authority, has assured me, that whole families of both sexes and different ages, will witness together a sort of theatrical or pantomimical entertainment of the most shockingly indecent kind. Lord Cornwallis, much to his honour, shortly after his arrival in India, declined an invitation to an amusement of this indecent kind, to which he had been asked by the native of the highest rank in the settlement. Indeed, to all who have made it their business to study the nature of idolatrous worship in general, I scarcely need remark, that in its superstitious rites, there has commonly been found to be a natural alliance between obscenity and cruelty; and of the Hindoo superstitions it may be truly affirmed, that they are scarcely less bloody than lascivious; and as the innate modesty of our nature is effaced by the one, so all the natural feelings of humanity are extinguished by the other. Hence it is, that, as in other instances, as well as in that of the burning of widows, we often read and hear of spectacles and incidents, which would deeply interest the feelings of most Europeans, being witnessed by the natives with utter insensibility. Were all considerations of humanity to be left out of the question, the consequences of some of the prevalent enormities would deserve our attention, even in a political view, on account of the numbers which fall victims to these pernicious superstitions. A gentleman of the highest integrity, and better qualified than almost any one else to form a correct judgment in this instance; I mean Dr. Carey, the missionary, has calculated, that, taking in all the various modes and forms of destruction connected with the worship at the temple of Jaggernaut in Orissa, the lives of 100,000 human beings are annually expended in the service of that single idol.

It has often been truly remarked, particularly I think by the historian of America, that the moral character of a people may commonly be known from the nature and attributes of the objects of its worship. On this principle, we might have anticipated the moral condition of the Hindoos, by ascertaining the character of their deities. If it was truly affirmed of the old pagan mythology, that scarcely a crime could be committed, the perpetrator of which might not plead in his justification, the precedent of one of the national gods; far more truly may it be said, that in the adventures of the countless rabble of Hindoo deities, you may find every possible variety of every practicable crime. Here also, more truly than of old, every vice has its patron as well as its example. Their divinities are absolute monsters of lust, injustice, wickedness and cruelty. In short, their religious system is one grand abomination. Not but that I know you may sometimes find, in the sacred books of the Hindoos, acknowledgments of the unity of the great Creator of all things; but just as, from a passage of the same sort in Cicero, it would be contrary alike to reason and experience to argue, that the common pagan mythology was not the religion of the bulk of mankind in the ancient world; so it is far more absurd and groundless, to contend that more or fewer of the 33,000,000 of Hindoo gods, with their several attributes and adventures, do not constitute the theology of the bulk of the natives of India. Both their civil and religious systems are radically and essentially the opposites of our own. Our religion is sublime, pure and beneficent. Theirs is mean, licentious, and cruel. Of our civil principles and condition, the common right of all ranks and classes to be governed, protected, and punished by equal laws, is the fundamental principle. Equality, in short, is the vital essence and the very glory of our English laws. Of theirs, the essential and universal pervading character is inequality; despotism in the higher classes, degradation and oppression in the lower. And such is the systematic oppression of this despotism, such its universal predominancy, that, not satisfied with condemning the wretched Soodras for life to their miserable debasement, (nay, death itself does not mend their condition), and endeavouring to make that degradation sure, by condemning them to ignorance as well as humiliation, the same inequalities pursue and harass their victims, in the various walks and occupations of life. If they engage in commerce, they are to pay *5l.* per cent. interest for money, while a bramin pays *1l.*, and the other two castes *2l.* and *3l.* per cent. Their punishments are far more severe than those of the higher classes, for all crimes; although, with any but a Hindoo legislator, their inferior measure of knowledge might be held to extenuate their guilt. And are these systems which can meet not merely with supporters, but even with panegyrists, in a British House of Commons? But, Sir, I verily believe, nay, I am fully persuaded, that our opponents would think and speak less favourably of the religious and moral system of the Hindoos if they knew it better; and when their eyes shall at length be irresistibly and fully, though tardily and reluctantly, opened to its real character, by that growing developement of its enormities which is daily effecting from the increased and increasing light cast on the subject by new publications, they will, I doubt not, be shocked to reflect of what a system they have been unwarily led to applaud the merits, and even contend for the continuance. I beg the House, Sir, to observe, that in all the statements I have made either of the moral character of the natives of India, or of the nature of their superstitious principles and observances, I have not grounded any of my assertions on the authority of Dr. Buchanan; and that, because I knew that endeavours had been diligently, I hope not successfully, used, to call in question the accuracy of his representations; and therefore, if I could establish my positions by other witnesses, against whom no such prejudices prevailed as had been excited in Dr. Buchanan's instance, prudence suggested to me the expediency of preferring them. But, Sir, I should be shamefully wanting to the cause of justice and of truth, as well as of friendship, if I were not to protest against the prejudices to which I have alluded, as utterly groundless. I beg the House to mark my assertion, that although Dr. Buchanan's statements have been scrutinised with jealous eyes, I am yet to learn one single instance in which any of his statements have been proved erroneous. But his character shall be laid before the House by a less questionable authority than my own. Lord Wellesley has publicly recorded his estimate of Dr. Buchanan's merits, not merely by selecting him for the important office of vice-provost of the College of Calcutta, but by the terms which he used in communicating to the Directors his having appointed Dr. Buchanan to that important office:—"I have also formed," says his lordship, "the highest expectations from the abilities, learning, temper, and morals of Mr. Buchanan, whose character is also well known in England, and particularly to Dr. Porteus, bishop of London; and to Dr. Milner, master of Queen's College in the University of Cambridge."

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* I will give one instance only, as a specimen. It is related by an unexceptionable witness. "I suppose, 2,000 men, women, and children, might be assembled. I observed, that one of the men standing before the idol in the boat, dancing and making indecent gestures, was stark naked. As the boat passed along, he was gazed at by the mob; nor could I perceive that this abominable action produced any other sensation than those of laughter. Before other images, young men, dressed in women's clothes, were dancing with other men, making indecent gestures. I cannot help thinking, but that the vulgarest mob in England would have arisen on these impudent beasts, and have almost torn them in pieces. I have seen the same abominations exhibited before our own door." Ward's Account of Religion, &c. of Hindoos. 4to. Note p. 306.

I will not affirm that Dr. Buchanan is exempt from the ordinary infirmities of our common nature; and that he who has published so much, of course in some cases, on the authority of others, may never have been misinformed, or may never have been betrayed into the slightest inaccuracy: but this, Sir, I say, and I will even leave it to be determined by those who entertain the strongest prejudices against Dr. Buchanan, and who may complain the most loudly of the supposed inaccuracy of his statements, whether, at least, his conduct was not that of one who was the most anxious and impartial inquirer after truth, and whether they themselves could have suggested any method by which the correctness or incorrectness of his statements could be more decisively ascertained than that which he adopted. He did not wait, as his opponents have done in calling in question his supposed inaccuracies, till his return to England; but he published his chief work while yet in India. In order to draw more attention to it, he presented it to government; and it was in usual circulation for three years before he left Calcutta, on the very spot, and among the very people, whose opinions, institutions, and practices, were the subjects of his publication.

To those who have known as long, and as well as myself, the unblemished integrity of Dr. Buchanan in private life, this attestation to his character will be superfluous; but it is no more than paying a debt of justice to a man to whom India, I trust, will one day know, and, I doubt not, acknowledge, the unspeakable obligations which she owes him, for the degree of zeal and perseverance, scarcely to be paralleled, with which, in contempt of misconstruction and obloquy, he continues to promote her best interests, and to render her services, the amount of which no human language can adequately express.

And now, Sir, I am persuaded, that in all who hear me, there can be but one common feeling of deep commiseration for the unhappy people whose sad state I have been describing to you; together with the most earnest wishes that we should commence, with prudence, but with zeal, our endeavours to communicate to those benighted regions, the genial life and warmth of our Christian principles and institutions, if it can be attempted without absolute ruin to our political interests in India. And if we were compelled by any irresistible urgency of political necessity, to abstain from the attempt, however cautiously and prudently it might be made, we should at least require this necessity to be clearly and indisputably established. For my own part, I confess, that nothing but absolute demonstration could convince me of the existence of such a necessity. For I should deem it almost morally impossible, that there could be any country in the state in which India is proved, but too clearly, now to be, which would not be likely to find Christianity the most powerful of all expedients for improving its morals, and promoting alike its temporal and eternal welfare. And I rejoice, Sir, in being able to assure you, that if we proceed with that prudence and caution with which all such measures should be conducted, the endeavour to communicate to our fellow-subjects in India, the benefits of Christian light and moral improvement may not only be made without danger, but, what is more, that there is no way whatever by which we should be so likely to promote our political interests in India; because there is no other way by which we should so greatly strengthen the foundations of our government in that country. Here, Sir, as in the whole of our case, we stand on the sure and stable ground of fact and experience.

Our opponents represent the natives of India as of such a jealous sensibility, wherever their religion is concerned, that on the most reserved and cautious endeavours to convince them of the errors of their system, and to bring them over to our purer faith, their passions would be at once inflamed to madness, and some violent explosion would infallibly ensue. If this, Sir, were true, how is it then that, for more than a century, Christian missionaries have been labouring in India, sometimes with considerable success, and yet we not only have heard of none of these tumults, but, as I before remarked, the missionaries themselves, who, admitting the statement of our opponents to be correct, must necessarily be supposed to be the objects of universal jealousy and even antipathy, have been, on the contrary, not only the most esteemed, but the most beloved and popular, individuals in the country. No longer ago than in the year 1803, the missionaries of the venerable Society for promoting Christian Knowledge, as we learn from its report for that year, were eminently successful. Yet we heard of no insurrection, nay, of no discontent, in that part of the country; in short, we only knew of the proceedings at all, from the correspondence published by the Society.

In that only instance in which our opponents have been enabled to find any just matter of complaint against any of the missionaries, or rather against any of the converts of the missionaries, (for it is only to them that any blame can be imputed), the transaction, taken altogether, and with all its consequences, tends strongly to confirm our conclusions, and to invalidate those of our adversaries. The story is this—One of the native converts of the Baptist missionaries, translated into Persian, and printed without the knowledge of the missionaries, a sort of life of Mahomet, containing many abusive and highly objectionable passages. Of this book, 2,000 copies were struck off, and 300 got into circulation in and about Calcutta, that is, in the very district, where, of all others, the thickness of the population, and the consequent intercourse of the natives with each other, must naturally favour the diffusion of any popular discontent. Yet what was the result? Did the circumstance transpire in consequence of some sudden insurrection? Of all the three hundred copies, one alone was ever heard of. And what became of that? It was brought by the son of a native merchant to one of the Mahometan professors in the college at Calcutta, with a request that he would write an answer to it, and vindicate the honour of their prophet and the truth of the Mahometan faith. Could any thing indicate less of that headlong violence which we are told we are to expect from the natives, whenever we attempt to call in question the tenets of their religion, or to inculcate our own? Here was a case in which I grant there was imprudence; yet so far from producing any commotion, it scarcely excited the smallest attention; and in the only instance in which it was noticed, it was in that temperate and cool way of reason and argument, which can never tend to the disturbance of the public peace, or to the endangering of our political interests. The true conclusion, Sir, from the incident, would be, that the natives were so tolerant and patient in what concerns their religion, that even the grossest imprudence could not rouse them to anger. But I ought not to close my account of this transaction without remarking, that no such incident can ever take place again; for it was settled, and indeed willingly conceded by the missionaries themselves, that all publications should in future be inspected and licenced by a government officer, appointed for that purpose, before they should be sent into the world. Neither ought I to dismiss the subject, without remarking, that the whole conduct of the missionaries on this occasion was in the highest degree honourable to their Christian character, and such as could not but obtain for them, as it did, the warm approbation of their superiors*. In truth, if they had behaved on this occasion otherwise than as they did, they would have acted in a manner wholly inconsistent with their own deliberate purpose; for among other general resolutions for the regulation of their conduct, into which they entered previously to their commencing their professional labours, there is one, the good sense and prudence, as well as the Christian meekness of which, ought to cover with shame those who speak of them as a set of hairbrained fanatics. A part of it is as follows:—"It is necessary," they say, "in our intercourse with the Hindoos, that, as far as we are able, we abstain from those things which would increase their prejudices against the Gospel. Those parts of English manners which are most offensive to them should be kept out of sight; nor is it advisable at once to attack their prejudices by exhibiting with acrimony the sins of their gods; neither should we do violence to their images, nor interrupt their worship*."

In truth, Sir, these Anabaptist missionaries, as, among other low epithets bestowed on them, they have been contemptuously termed, are entitled to our highest respect and admiration. One of them, Dr. Carey, was originally in one of the lowest stations of society; but, under all the disadvantages of such a situation, he had the genius as well as benevolence to devise the plan which has since been pursued, of forming a society for communicating the blessings of Christian light to the natives of India; and his first care was to qualify himself to act a distinguished part in that truly noble enterprise. He resolutely applied himself to the diligent study of the learned languages; after making a considerable proficiency in them, he applied himself to several of the Oriental tongues, more especially to that which I understand is regarded as the parent of them all, the Shanscrit: in which last, his proficiency is acknowledged to be far greater than that of sir William Jones himself, or of any other European. Of several of these languages he has already published grammars, of one or two of them a dictionary, and he has in contemplation still greater literary enterprises. The very plan of one of them would excite the highest admiration and respect in every unprejudiced literary mind. All this time, Sir, he is labouring indefatigably as a missionary with a warmth of zeal only equalled by that with which he prosecutes his literary labours. Merit like this could not escape the distinguishing eye of lord Wellesley, who appointed him to be professor of the Shanscrit, and of another of the native languages in the college at Calcutta. Another of these Anabaptist missionaries, Mr. Marshman, has established a seminary for the cultivation of the Chinese language, which he has studied with a success scarcely inferior to that of Dr. Carey in the Shanscrit.

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* "We observe, with great satisfaction the temperate and respectful conduct of the Society of Missionaries, in the discussions which took place on the subject of the publications to which your attention was directed, and of the measures which you felt yourselves called upon to adopt," &c.—Letter of Aug. 1808, from the Court of Directors to their Presidency at Fort William in Bengal.

* See Baptist Missionary Society's Report.

On more than one occasion, at the annual examinations at the college at Calcutta, the highest eulogium was pronounced both on Carey and Marshman, by the governor general; and the happiest consequences were predicted from the prosecution of their literary labours.*

It is a merit of a more vulgar sort, but to those who are blind to their moral and even their literary excellencies, it may perhaps afford an estimate of value better suited to their principles and habits of calculation, that these men, and Mr. Ward also, another of the missionaries, acquiring from 1,000*l.* to 1,500*l.* per annum each, by the various exercise of their talents, throw the whole into the common stock of the mission, which they thus support by their pecuniary contributions only less effectually than by their researches and labours of a higher order. Such, Sir, are the exertions, such the merits, such the success, of these great and good men, for so I shall not hesitate to term them.

The hon. gentleman concluded with apologising to the Committee for the time he had occupied, and declaring that he should cordially support the Resolution.

Mr. *Forbes* was apprehensive the admission of missionaries into India would be dangerous to our Eastern empire, and thought they ought to pause before they risked the lives of the Europeans in India by adopting the proposition before the House. He had no objection to missionaries being suffered to go there as heretofore, but if once they got the sanction of government, and a legislative enactment were made in their favour, he was of opinion the danger would be very great.

Mr. *Fawcett* opposed the Resolution.

Mr. *P. Moore* contended, in answer to Mr. Wilberforce, that there was not a chaster or more meritorious set of men living than the British inhabitants of India. And as to the boast of making 100 converts, he would ask, whether among them was there one honest man? For his part, he never knew one of these converts who did not turn out to be a rogue. Hitherto he had abstained from saying any thing upon the India question, because his opinions upon the subject were on record; for he had repeatedly stated to that House, and in fact many years ago, those sentiments which were of late echoed by various persons, and upon which, for the most part, government seemed at length disposed to act.

Mr. *Alexander* resisted the Resolution.

Sir *T. Sutton* objected to the proposition before the House. He thought it would defeat its own object, as it was not the way to convert another to our opinions, to set out by stating such to be our intentions. Every thing desirable to be done with respect to missionaries might be done without danger under the third Resolution.

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* I ought not to omit the honourable testimony which has been borne to these extraordinary men by the rev. Dr. Marsh of Cambridge. After some account of their literary labours, he proceeds: "Such are the exertions of those extraordinary men, the missionaries at Serampore, who in the course of eleven years from the commencement of 1800, to the latest accounts, have contributed so much to the translation and dispersion of the Scriptures in the Oriental languages, that the united efforts of no society whatever can be compared with them. These are the men who, before the Bible Society existed, formed the grand design of translating the Scriptures into all the languages of the East; these are the men who have been the grand instruments in the execution of this stupendous work; these are the men who are best qualified to complete the design so nobly begun, and hitherto so successfully performed, who in the knowledge of language which they themselves have acquired,—who in the seminary at Serampore, designed for the education of future translators,—who in their extensive connections with men of learning throughout the East,—who in the missionary printing office, so well supplied with types of almost every description,—and who in the extensive supplies afforded by the Baptist Society, augmented by their own noble contributions, are in possession of the means which are required for that important purpose. These are the men, therefore, who are entitled to the thanks of the British public."

Mr. *Prendergast* stated that the conduct of Dr. Carey, which had been so exemplary during lord Wellesley's government, totally changed on the departure of the noble lord: that one day he harangued a large mob in their native language, and abused the religion of the natives in such terms that he would have been killed but for the interference of the police. The hon. gentleman was decidedly against the Resolution.

Mr. *R. Thornton* was in favour of the Resolution, and said it was a libel on truth to suppose its propagation would be attended with evil.

Mr. *W. Smith* followed on the same side. We could change the whole tenure of the land, he observed; we could take the temple of Jaggernaut, and seize the car of the idol, when a paltry revenue was concerned, but in the present instance we were afraid of alarming the prejudices of the natives. Let men fear, when there was reason to fear; in attempting to benefit the natives of India, there was no cause for alarm.

Mr. *Lushington* said the present Resolution would not be dangerous to our government in India. He was sorry it had not been adopted before, and hoped it would be carried.

Mr. *H. Thornton* supported the Resolution, and contended its object could not be obtained under the third Resolution, which had been so often alluded to.

The House divided, when the numbers were—

For the Resolution	89
Against it	36
Majority	—53

HOUSE OF COMMONS.

Wednesday, June 23.

THOMAS CROGGON REPRIMANDED AND DISCHARGED.] Lord *A. Hamilton* moved the order of the day, for calling Thomas Croggon to the bar to be discharged, and congratulated the House on the abrogation of the precedent, that no person committed should be discharged but on petition.

Thomas Croggon was accordingly brought to the bar, where he received the following reprimand from Mr. Speaker, and was ordered to be discharged out of custody, paying his fees.

" Thomas Croggon,

" This House having had under its consideration the proceedings which took place at the last election for the borough of Tregony:—Resolved, 'That you did openly and corruptly endeavour to procure the return of two persons to serve in parliament for that borough, by means contrary to the right and freedom of election, and contrary to the laws and constitution of the realm:'—and for that offence you were committed to his Majesty's gaol of Newgate.

" In these transactions it appears, according to the evidence, that the part which you bore was prominent and profligate; inviting some persons, by promises of a large reward, to undertake the general task of corrupting the borough; and holding out to others the prospect of a specific fund, out of which the price would be paid for their individual votes; so flagrant an offence this House has justly visited with its severest indignation,

" Nevertheless, the imprisonment which you have now suffered for this misconduct has at length induced the House to consent to your discharge, hoping that the notoriety of your punishment may contribute to check the recurrence of similar practices: and you are therefore now discharged, paying your fees."

TREATY WITH SWEDEN.] The *Chancellor of the Exchequer* moved, that the Report of the Committee of Supply be taken into consideration.

The Resolution on the Swedish subsidy being read,

Mr. *Bankes* rose. He said he had no intention of disagreeing from the Resolution, but was desirous of offering a few observations in order to state his opinion to the House upon the subject. He desired that the Resolution of the House, passed in 1796, on the subject of a subsidy to the emperor of Austria, might be read: it expressed a hope that no precedent would be drawn from that proceeding, except in cases of extreme emergency. This was a caution to future time, that no money should be advanced, during the sitting of parliament, without notice given to the parliament. There might be many cases of diplomacy which required secrecy: he did not think that the present was one; there could have been no reason for concealing the transaction as a whole, whatever grounds might exist for suppressing particular articles. There was here no ground for secrecy as to the subject itself, whatever there might be as to the articles of it, the existence of the treaty between Russia and Sweden having been communicated to Denmark; and also that England was a party to it. The House had a right to complain that it had been kept in the dark so long. His own general view of the late treaty was, that it of all others was the treaty for which this country was to pay the most, and to receive the least. All that we gained by it was the giving a priority to the continental expedition before the seizure of Norway. This at least, though not expressed, was he supposed implied in the treaty. But he had to complain of the ambiguity of its language, which was so great, that he thought no gentleman could explicitly interpret all its articles: he was afraid that not even the noble lord would be able to give him satisfactory answers to some questions which he should put. It was a general fault in the treaty that no mention was made of the mode or time of commencing the campaign: though it was exceedingly material that such a body of troops under such a commander as the Crown Prince of Sweden should have been employed at the very beginning of the campaign, and not now when the affairs of the allies were in a state so deplorable. Another fault was, that we must perform all, and receive nothing: we must sit down with the loss of a large subsidy, and of an island important as to trade and revenue, and as far as he could understand the treaty receive nothing in return; for Sweden only engaged to act in conjunction with a Russian force: but there was no stipulation between us and Russia to that effect. He would ask, therefore, whether the direct co-operation of Sweden did not depend on the junction of 30,000 Russians? If so, we were in this dilemma; Sweden and England might be disposed to fulfil the treaty, and yet be prevented by the unwillingness or inability of a third power, not a party to the engagement. There was no slackness on the behalf of Russia, but she was not able to furnish her contingent of men: a probability of hazard which was incurred at the time of making this improvident treaty. Was the Crown Prince bound to act without this contingent? He conceived that he clearly was not bound. He would ask, whether Sweden was a party to the present armistice, if she was, whether the payment of the monthly subsidy was to go on during the cessation of hostilities, and if this armistice ended in a continental peace, what steps were taken to provide a reciprocation of interests? He might appear to the noble lord to be talking absurdly, but he knew not himself where the absurdity lay: the troops were to be paid when they arrived on the continent: 28,000 were now at Stralsund, and the Crown Prince had therefore a right to demand the subsidy. He would also ask, whether, if Sweden should make peace with France and not with Denmark, we should not be left subject to a war for the purpose of securing Norway to Sweden? The noble lord said, there were documents to prove that this country was not bound to the permanent annexation of Norway to Sweden: he hoped it was so, for then the objection of imitating French aggression would be removed. The treaty, however, was differently construed in Sweden; and the Crown Prince, in his address to his soldiers, said, that treaties whose object was the tranquillity of the north, guaranteed the union of Scandinavia. As to the question of subsidy, it was so much the fashion for all parties in the House to be careless about money matters, that he should merely say, it was an improvident contract, to risk so large a sum of money without an equivalent. His own opinion, both in the last and present wars, was decidedly against such treaties of money. This country was always eager and anxious to furnish its money as long as any other country was ready to take it! yet all our bargains of this sort were only so many memorials of money idly and foolishly expended. Let them look at Sardinia, Prussia, Austria, and even Russia; these countries had all been subsidized again and again: and what benefit, what real advantage had resulted to this country from its prodigal disbursements? With respect to the cession of the island of Guadaloupe, ministers seemed to speak of giving it up with a gaiety of heart as if they rejoiced in admitting Sweden to a participation with them of the commerce of the world. He was afraid, however, that making this cession during the war, would prove dangerous, as, being generally allowed to be contrary to the law of nations, it might, in the discussions for peace, give an opening to much dispute, and be productive of the greatest inconvenience in many other respects. Sweden, in the event of another war, might very likely be a neutral power, and would, in such case, have a great opportunity of favouring Buonaparté's views, by having possession of this island so very near to our own, and capable of distressing our trade, in so great degree as it would be in their power to do. He then alluded to that part of the treaty which related to the landing by Sweden of 35,000 men on the continent at Stralsund. The cession of Guadaloupe, of which he had just spoken, was to take place in August next, or else in three months after Sweden had landed that number of troops. These two events, as things had turned out, were likely to happen about the same time, and it was important to consider what we were likely to obtain by way of equivalent for Guadaloupe; and judging from circumstances which had happened, and from those which might happen in consequence of the armistice, it would seem as if we were likely to cede Guadaloupe, without receiving any equivalent whatever. Unless, therefore, there was some other article on this subject, than what had been made known to the House, it appeared to him that the treaty was very vague indeed. As to the article of *entrepôt,* he could not see how we were to receive any considerable advantages from it. In the first place, we were to pay a duty *ad valorem* nearly equivalent to the privilege to be granted us; and if the continental system should be again renewed, which was by no means impossible, perhaps not improbable, Sweden might be, in such case, as she had been before, compelled to yield to it; and he knew not why we should suppose that Sweden would now be more able to make an effectual resistance against it than she was before. Denmark, as well as Sweden, had heretofore been forced into it, or else neither of them would have given up the advantage of their commerce, of which they had been deprived by the power of Buonaparté; and if the war should take a turn in his favour, or he should succeed in making peace to the exclusion of this country, he saw no security we had wherewith to flatter ourselves, that Sweden would act otherwise than she had formerly done. With respect to that part relative to the subsidy to Sweden, in so far as they had relieved Russia, by setting free a great part of her forces to act against the French, it might be that a few hundred thousands were well laid out; but how ministers could embarrass themselves with the chance of entailing on this country a war with Denmark, after a peace with all the other powers might be concluded, he was much surprised at. He apologised for having detained the House so long, but felt it his duty to offer the observations he had made: he did not wish to make any distinct motion; but hoped the noble lord would favour the House with some explanation upon the points he had alluded to.

Lord *Castlereagh* said the hon. member who had just sat down, had now delivered his sentiments at great length on the subject of the Swedish treaty, the hon. member not having been present when that matter was fully discussed on a former night. As he (lord C.) had on that occasion entered very fully into the whole of the subject, he did not feel it necessary to follow the hon. member through the various parts of his speech, but would confine himself to a few of the prominent points of it. He admitted first, that ministers had acted on their own responsibility, for which he had heretofore thrown himself on the consideration of the House; and insisted that it was more for the public interests to make the remittances, in the way which had been done, rather than wait to come to parliament for the money, which would have occasioned a delay, though parliament was sitting, that might have been productive of the most injurious consequences, and have drawn them into greater embarrassments, as at that moment they were not in circumstances to give the explanations, without which they could not have applied to parliament with any degree of propriety. The hon. member had gone somewhat diffusely into the treaty, but had in general approved of it. He seemed, however, to go on the theoretical principle, that in making a treaty, ministers ought to throw all the difficulties that were to be encountered on the other contracting parties. Such a conduct might do in the minor transactions of the world, but in the case of contracts between great powers it was not possible; nor would it, in the end, conduce to any one advantage or good effect. In this treaty, Sweden had never been considered by ministers, as the hon. member had supposed, to have made great sacrifices on the continent; on the contrary, there was no power so little in a situation to do so as Sweden: but in having freed Russia from great difficulty, by putting at her immediate disposal so large a force in the course of the last campaign, ministers did conceive that Sweden had done the most essential service to the general cause; and that they were therefore justified in granting the subsidy, and paying it in the manner they had done. He insisted also, that by their having landed their forces at Stralsund, they had greatly embarrassed Buonaparté, and kept him so much in check, that he was obliged to leave considerable forces to watch their motions, which would otherwise have been employed with terrible effect against the armies of the allies. Referring to the general observations upon the treaty which the hon. gentleman had made, he thought that he was not stating the proposition too broadly, when he said that if all the members of that House entertained the same opinions with the hon. gentleman, no such thing as a treaty of subsidy would ever, under any circumstances, be made; for the whole scope of the arguments of the hon. gentleman was, that all the burden of contingencies should be thrown upon the other parts for the purpose of relieving ourselves. The fact was, that Sweden had no other interest in view by landing her troops on the continent, than the interest of the confederation, and the treaty never had been framed under any such impression as that Sweden waived any private interest for the purpose of employing her troops against the common enemy. He had no hesitation in saying, that the hon. gentleman misconceived the nature of the whole treaty. If the hon. member had read the treaty with the intention of understanding it, instead of finding fault with it, he would have found what he had just stated to be the fact. The hon. member had thought proper to put many constructional questions; but he (lord C.) could not feel himself called upon to declare what advice his Majesty's ministers would think it their duty to give upon circumstances which had not yet arisen. He should, however, decline to answer the variety of questions put by the hon. member; but he had the satisfaction to be able to state to him and the House, for their mutual information, that the allies had every reason to be satisfied with the conduct of the expedition landed at Stralsund; that the number of men was even larger than had been stipulated for; and that with respect to the great personage at the head of the Swedish army, there was every reason to place the most perfect confidence in him, both as to the sincerity of his intentions and his abilities in leading on his forces against the common enemy. He did not feel himself bound to give any explanations, as to what was intended to be done. The hon. gentleman seemed to think it would have been wise to have inserted some saving stipulation, in case of failure in any of the powers; but though this opinion was perfectly consonant to the economical principles of the hon. gentleman, nothing could have more effectually tended to separate, instead of cementing alliances. In order to relieve, however, the laudable anxiety of the hon. member, he was happy to be able to state in addition to what he had lately said, that in the view of the person at the head of the Swedish armies, the stipulations entered into between the allies for the direction of those forces had been perfectly satisfactory to him; and further, he was enabled to inform him, that the force already landed in Stralsund exceeded the number stipulated for, exclusive of the Pomeranian corps and some additional troops expected from Sweden. With respect to the cession of Guadaloupe, he must decline adding any thing to what he had recently stated, nor could he say that the ministers of the crown might think it their duty to advise under any given circumstances. On the whole, the treaty had been concluded under the most important circumstances, and was calculated to advance the general interests of Europe, by entering into the views of a power which had already assisted in the salvation of Russia, and whose conduct had eminently contributed to those extraordinary and brilliant successes which had attended the last campaign against the arms of France. The treaty had been made on terms which held forth the greatest advantages to the allies, by inducing that power to join the common cause which could be of the utmost service to their cause, and which, by its act, would draw on it the severest vengeance of France; and he insisted, that in its consequences it was considered as likely to lead to the most brilliant effects.

The Resolution was then agreed to.

Ordnance Estimates.] The House having resolved itself into a Committee of Supply,

Mr. *R. Ward* brought forward the Ordnance Estimates. He said the first estimate was less by 150,000*l.* than that of last year. The new estimates would amount to 350,000*l.* There would be a considerable and necessary augmentation of the artillery. The great differences would be found in the extraordinaries and principally in the article of stores, in which there was a great diminution. For Hilsea the large sum of 90,000*l.* would be requisite. It was, indeed, a very considerable sum to ask for, but there was an absolute necessity for it. For the fortifications of Portsmouth, and the defence of that most important place, large sums had been formerly asked, which were rendered useless for want of a little additional expence, which had been refused by the House, when required by the duke of Richmond. The consequence was, the proprietors of the land took advantage, and on that space, which was then a common, had built a large town; so that now if any enemy were to make a landing, there would be no defending Portsmouth but by knocking down the whole town. It would be worth the while for the nation to purchase the whole, but it could not afford to do so at this moment when we were engaged to so great an extent in expences absolutely unavoidable. The circumstances under which the present grant was asked were these:—the land between the lines and the fort of Portsmouth was formerly common, and thus could not have been built on. This was now enclosed by act, and apportioned, and plans were in agitation for building on it. To prevent this it was proposed to purchase it for government, and a plan, which it was not at present necessary to put in execution, was under consideration for erecting a fort on the hilly ground on the land in question, which would command the lines, and render entrance into the place impracticable, except after a delay of a week or ten days. Portsmouth was impregnable by sea, but if an enemy should make a landing, and obtain possession of Hilsea, they would command the fortifications on the land side. It was not necessary to erect fortifications on it at this moment, but we ought to have it in our power to do so. It was a mistake to suppose that the whole of the money granted by the committee would be thrown away; for, on a survey, Mr. Wyatt had reported, that the land was worth the money and would produce 3,000*l.* per annum, so that, should it not be wanted, it might be disposed of by public sale. He then moved that 749,599*l.* be granted to his Majesty for Ordnance Estimates.

Mr. *Calcraft*, adverting to what the hon. gentleman had said about lands to be purchased at Portsmouth, observed, that the hon. gentleman was wrong in representing Portsmouth as a fortress of a superior order, as it was only meant to be such as to be inaccessible to a *coup de main*. All the fortifications which had been mentioned by the hon. gentleman were not in the least calculated for the defence of the dock yards, as they were at all times accessible from the sea. He hoped that particular accounts would be laid before parliament, and that the plans, &c. would not merely be confined to the Ordnance-office. He cautioned the hon. gentleman and the board to see the whole object and intention of any sum which was to be expended, and ascertain what the expenditure would lead to, and where it would end, before they proposed it to parliament. In the case of Jersey they began with a few thousands: in 1806 they voted 30,000*l.* then 15,000*l.* 20,000*l.* 10,000*l.* 37,000*l.* 40,000*l.* and in this year 60,000*l.* So that the whole expence was 244,000*l.* On the whole he approved of the estimate, which he thought was as reasonable as possible; and he thought that the hon. gentleman might have taken credit to himself, and to the board, for the smallness of the unprovided estimates, as the amount of them was less than he ever remembered it to be on any former occasion. Praise was due to the hon. gentleman (Mr. Ward), on the small amount of the 'Unprovided,' and for the establishment of sappers, and the augmentation of the horse artillery; he did not, however, see any necessity for the augmentation of the artillery drivers corps.

Mr. *Fremantle* objected to the sum for the purchase of lands at Portsmouth; he was not satisfied with the reasons which had been assigned for that purchase, and therefore his vote would be against it. He also objected to the sums mentioned in the estimate for the purchase of lands at Woolwich, Waltham Abbey, and the manufactory of small arms; 147 acres had been purchased at an expence of 11,000*l.*—10,000*l.* had been expended in like manner at Waltham Abbey, and 5,000*l.* at the manufactories of small arms —50,000*l.* had been expended in establishing powder magazines on the Medway, which if at all necessary must have been necessary before. The expence of towers on the coast was 18,276*l.*—contingencies of artillery abroad 80,000*l.*—recruiting 70,000*l.* all which required explanation. He wished to know why it was necessary to have a new charge of 50,000*l.* for nine powder magazines on the Medway? He also wished to know whether the charge of 18,000*l.* for towers and batteries on the coast was to be continued, or when it was likely to end? The sum of 80,000*l.* for artillery on foreign service, he thought more than sufficient. The charge of recruiting was estimated at 70,000*l.* which was an increase of 40,000*l.* above the sum in the estimate of last year; he wished to know the cause of the enormous increase on this item.

Mr. *J. Smith* readily gave every tribute of praise to the magnificent and useful way in which the works at Woolwich were carrying on. The new wharf in particular was deserving of the highest approbation. As very large sums had been expended in the construction of the works at Dover, he was desirous of being informed, whether it was intended to extend them on the same scale. Looking at the Ordnance Estimates as a whole, he felt it his duty to admit, that they were less objectionable than any which had been for a long time submitted to the House. Yet while he admitted that the present estimates were much less objectionable than those of almost any former year, he thought that there were some items which required explanation. Among these he particularly pointed out the proposed erection of permanent and expensive works in Trinidad and other of the conquered islands. He adverted also, however commendable they were, to the enormous expence of the works at Woolwich, and expressed his hope that they would now be terminated; and that the board had no other similar undertaking in contemplation.

Mr. *Pole Carew*, alluding to the works for the defence of Portsmouth, observed, that with the increase of the works, the number of houses on them also increased. These houses could be of no use whatever, for as they were erected on the glacis, they would, if even destroyed, prove very dangerous, and embarrass, instead of contributing to the defence of the place.

Mr. *Baring* wished to know why, when the Bill to inclose the Isle of Portsea was brought in last session, a more vigilant attention was not paid to the public interest, and a clause introduced to prevent those by whom the land was to be inclosed from erecting such buildings as might be detrimental to the defence of the place?

Mr. *Huskisson* contended, that the proposed vote was calculated to do either not enough or too much. If there were many houses erected injurious to the defence of Portsmouth, and the destruction of those houses was necessary, they ought to be destroyed. Unless the works were complete, they would be useless; but he did not see the practicability of making them so. The lines extended for many miles, and an immense army would be necessary for their defence. It was utterly incapable of sustaining a regular siege. With respect to the other items of the estimates they met with his entire approbation, with the exception of that which related to the artillery-drivers, and which he concurred with an hon. gentleman in thinking might be advantageously reduced.

Mr. *R. Ward* acknowledged the candour with which he had been treated on the present occasion, and declared, that it was a pleasure to be so opposed. The hon. gentlemen who gave it as their opinion, that no work should be undertaken until the board were apprised, not merely of the expence of the current year, but of the whole expence, only echoed the sentiments of the present master-general of the ordnance, who, since his entrance into office, had uniformly instructed the engineers not to forward him the estimate of the minutest work which it was proposed to undertake, without stating the whole expence with which it was likely to be attended. With respect to Jersey he had the satisfaction to say, that he believed the present vote would complete the works that had for some years been carrying on in that island. As to the artillery drivers, any reduction in that item would, he was persuaded, be injurious to the public service. So far was lord Wellington from wishing that corps to be reduced, that he had actually applied for an additional number, stating that he required three times the amount of those with his army. Adverting to the proposed vote for the purchase of the land within the lines at Portsmouth, he observed that an hon. gentleman had recommended not to buy the ground at present but to wait till an exigency should occur, and then to destroy any building that might be necessary, and make compensation to the owners. But was the hon. gentleman aware that in that case the sum required would be at least twenty times the amount now necessary? The fortifications at Woolwich were undertaken at the period when the alarm of invasion was general, and sir John Shaw's ground contracted for in the year 1803. The lease having now expired, the purchase money had become due. Waltham Abbey had been converted into a powder mill, and the buildings at Enfield and Lewisham were for the manufacture and what was called the setting up of small arms. As to the magazine at Purfleet, he had not expected to hear that censured, as it had been highly approved by an hon. member not now in his place (Mr. Whitbread), who was in the habit of exercising pretty considerable vigilance on these subjects. It was now intended to suppress the naval magazines, of which there were nine, and which cost the country three thousand pounds per annum severally, and to erect four or five on shore at different points—one at Plymouth, one at Portsmouth, and two at Sheerness. Instead of Purfleet, it was now in contemplation to establish the principal magazine on a moor in the vicinity of Uxbridge. An hon. member (Mr. J. Smith) had inquired respecting the charge of a fort in the island of Trinidad, which had been strongly recommended by general Hislop, in consequence of the fire some years since at Porto Spain. The wharf at Woolwich, the beauty of which was universally admired, had saved a considerable annual expence in superseding the necessity of employing lightermen, and the item of 12,000*l.* was on account of some new and most useful machinery. He alluded particularly to the vertical saw, which he understood had already saved in the expense of labour not less than 400*l.* per cent. With respect to what had been said upon the purchase of the ground at Hilsea, he was a good deal surprised to hear an hon. gentleman (Mr. Baring) who sat on the Whig side of the House, object to granting compensation for freehold property. The ground was necessary for the purpose of building a fort to intercept the progress of an enemy from the side of Portsea.

Sir *Mark Wood* thought a much greater expenditure necessary to place Portsmouth in an adequate state of defence. The dock-yard might be easily destroyed from the Gosport side of the harbour.

The different Resolutions were then put and carried.

ARMY EXTRAORDINARIES.] The Chancellor of the Exchequer, after passing a very high encomium on the services of the army under the command of lord Wellington, moved, that the sum of 663,400*l.* be granted for the unprovided portion of the extraordinary expences of the army for the present year. This head of expenditure had in the preceding year exceeded all former estimates, having amounted to no less a sum than five millions. At the suggestion of that distinguished person who was at the head of our armies in the peninsula, a commissioner had been sent out to examine and audit the accounts on the spot. The result was, that the estimate for the present year was 4,663,400*l.* Four millions had been already voted, and he now therefore moved for the remaining 663,400*l.*

Mr. *Bennet* took the opportunity to animadvert upon the farther prosecution of the war in the peninsula, which tended but to plunge this country in augmented expenditure and difficulties. He begged leave to ask the noble lord opposite, what were the expectations of success which he entertained? What was the prospect of the success which presented itself? And was the war to be protracted, by exhausting the heart and blood of Great Britain, under the delusive hope that the Spaniards might look for ultimate success, because they had been occupied for 300 years in effecting the expulsion of the Moors? The Chancellor of the Exchequer had observed truly, that the principal item was the peninsular war. He must enter his protest against the prosecution of a war which would wrench the last shilling from the pockets of the poor, and plunge every family in the country into distress. The success of this war was, to say the least, problematical, the ruin and loss certain and dreadful. He adverted to, and reprobated in strong terms, the contract made by government with major Wingfield, for raising men for the service of the West Indies on the coast of Africa, and with count Delehaye for raising Dutch recruits, which he thought incomprehensible. It was well known, that the officer in question had entered into engagements with the inhabitants along the coast for the purpose of being supplied with men, and thus the slave trade was to be iniquitously revived and perpetuated. Another objectionable point which struck him was the liberty given to the court of Portugal to carry on that abominable and disgraceful traffic. It was not to be endured that Portugal should be suffered to exercise that horrible dealing, directly contrary to our own principles and practice, and at the very moment when we were defending her best interests and existence with our treasure and our blood. Portugal should be plainly told, that we would not allow her to do so, for she thus counteracted the noblest and most benevolent experiment the country ever made in vindication of suffering humanity, and the best claims and rights of our fellow-creatures. He ought not to forget that one grant was to a Mr. F. Cator, for the invention of a new military cap. He should be glad to know who it was that had advised the Prince Regent to adopt this most absurd and contemptible dress. It was so absurd that when a regiment entered a town, a horse soldier was often obliged to parade the streets to reconcile people to the sight of it. Our war expences in the last year alone had increased 38 millions. He would advise gentlemen to consider the consequences of this ruinous system of unbounded expence—a system which must end in destroying the people, unless the people destroy it.

Mr. *Stephen* said, the object of major Wingfield's mission was to enlist recruits with the ulterior view of saving that loathsome and deplorable waste of European life in our West India regiments. It was not fair to say, however, that the state of these black soldiers was not more eligible than that of the slaves employed in the colonies; they had all the allowances of British soldiers, and might one day return with the rudiments of civilization to their native land. The scheme, when first suggested to government, had been referred to the opinion of the gentlemen composing the committee of the African Institution, and approved by them on condition of making Sierra Leone the general depot. This provision had answered its end, and major Wingfield having exceeded the line marked out for him, had been sent home by governor Maxwell to explain the nature of his conduct. He thought it likewise unjust to accuse government of negligence on the subject of the abolition, particularly after the zealous and cordial exertions which had succeeded in inducing Sweden to relinquish the trade.

Lord *Castlereagh* said, that there was a great difficulty in compensation, till hardships were proved in a court of justice. Government had been attentive to ascertain to what parts of the African coast Portugal had a right to trade for slaves. He assured the hon. gentleman that government had made various representations on this subject to the Portuguese court. It was impossible, however, to sacrifice the cause of Europe at the present moment, or act indeed otherwise than was consistent with the treaty between the two countries. Application had been made as urgently as was possible for the cession of these points, which created local difficulties in deciding as to the due observance of the treaty. It had been found, however, impossible to come to a final arrangement, until certain complaints from Bahia and other parts of the coast, with respect to illegal captures, had undergone further adjudication in this country, and the question of the propriety of affording restitution had been brought to an issue.

Sir *Mark Wood* noticed the observations formerly made on the dresses of the army, and observed, that he, who, it was said, was not in the habit of doing foolish things, had done the very thing complained of,—Buonaparté's dragoons wore similar helmets, and the chief complaint he had heard was that our equipment was too much like that of Buonaparté's, and might cause mistakes. These, however, were unlikely, from the different colour of the uniform; one being blue, the other red. An hon. gentleman had said, that a dragoon was marched through a town previous to the arrival of his regiment, to accustom the people to his new appearance. Fashion, certainly, was merely matter of opinion: but if he were sent into a town with a broad cocked hat on for the first time, it would, at least, occasion as much ridicule as the helmet. The cocked hat was not sabre proof, whereas the helmet was so: therefore the men were less exposed in a conflict. He believed the soldiers approved the alteration, and was confident whether in hats or helmets that they would do their duty.

Mr. *Fremantle* lamented the thinness of the House on such an occasion. He did not mean to disparage so distinguished an officer as sir Sidney Smith, but there was a claim on his account charged last year on the civil list of above 7,375*l.* which was incurred about the same time as the present charge. This ought to be explained. The charge of 9,362*l.* for cast iron water works at the Cape also required explanation, as well as the additional charge of 2,000*l.* which he did not well comprehend. The article respecting Dutch soldiers seemed unaccountable. The sum for general Sontag and another general amounted to about 38,000*l.* Another item he could not understand related to St. Colomba, and the corps of general de Meuron, on which there was a charge of 2,000*l.*

That general had since retired from his regiment, and had been succeeded by an English officer. He was desirous of having this matter made clear. The expence for New South Wales troops was 45,000*l.* Why might not this article be brought into the calculation for the regular army, and placed in the account of the general military payments. A charge of 3,500*l.* for a depot of foreign officers at Lymington also required explanation, as to its nature and objects, for which, perhaps, sufficient reasons might be given. Having noticed those particular items, he could not refrain from observing on a general view of the estimates connected with the army, how little had been accomplished by so immense an increase of expenditure! Our military expenditure had increased to 24,000,000*l.* annually during this war, and it was indispensably necessary to practise economy: but ministers had shewn no such disposition. Public expence for bridges, roads, emigrants, &c. proceeded as if we were at peace. It was unpardonable to call for these grants without time for reflection. Seeing how little reason there was for expecting peace within any very short period, he could not but observe, that the finances of the country must ultimately be thrown into a dreadful and dangerous state of convulsion, except our expences were very considerably lessened. They had been told, that the national debt had only increased fifty-four millions; but such a statement was a deception, for he was ready to show, calculating the loan, and what was left unfunded, that it had increased nearly one hundred millions. He would maintain that it was a fallacy to hold out to the public that the debt had only increased fifty-four millions, since in that statement was taken off the unfunded debt.

Mr. *Wharton* observed, that though the hon. gentleman who spoke last had noticed the increase in the expenditure of the country, he had pointed out very few items that could require even explanation. With respect to the item for South Wales, the charge was for stores, provisions, &c. for the settlement, and was one which had always been placed amongst the extraordinaries, and distinctly stated. It was defrayed by bills upon the Treasury, and the amount was annually voted. In 1811 it was 30,000*l.* The question on the Dutch troops was submittted in 1803 to the law officers, and the sum of 30,000*l.* was awarded on the claims of count Babenhausen by Mr. Reeves. A subsequent award, the first not being approved of, was made by Mr. Richardson, to nearly the same amount, and the sum now paid was regulated thereby.

Mr. *Abercromby* thought it extraordinary that every thing relative to New South Wales was not included in the general expences of the colony, and expressed a wish that all the expences for the colony might henceforth be brought into one estimate. He inquired, whether there existed any intention on the part of the ministers to take any notice of the Report that had been laid on the table of the House, in the course of the last session of parliament, respecting the improvement of the government of South Wales.

Mr. *Goulburn* said, government waited for a farther report from the governor of New South Wales. The expence of the cast iron water works was only an advance till the colony could provide for it. The whole expence was 18,000*l.*, of which 7,000*l.* were already paid. As to the depot at Lymington, he should observe, that there had been many deserters from the enemy's armies in the peninsula. On their arrival here, they had received their respective allowances, as officers and privates, till they could be sent to the independent companies. The object was not to discourage those who might wish to follow their example.

Mr. *Pennant* thought, that considering the style of conscription which had of late years taken place in Europe, he doubted much whether the military exertions of this country would be sufficient to meet such a powerful engine in the hands of the enemy. He thought the new helmet for our cavalry nothing the better for being like those of Buonaparté.

Mr. *Law* said it was his firm opinion, that without a radical change in our military system, millions might be thrown away without producing any benefit. A general change of military system had taken place in Europe during the last 20 years. Almost all the other powers had introduced conscription instead of enlistment. Was it possible that our system could proceed successfully against this change? We might as well say that the militia could contend against a regular army? A separate peace, leaving us out of it, was not improbable. In that event, how were we to support a force at home, and one in the peninsula, on the present plan? Regulations had been made, not to facilitate promotion in the army, but to make it almost impossible to obtain it at an active period of life. If this were persisted in, it would be impossible to maintain a sufficient army. No facilities were given for military education to officers desirous of obtaining it. He could not understand why, at the end of a campaign, there was so great a reduction by illness in our armies: whether it was from any inactivity in quarters, or from what other cause, he could not tell. As to the medical department of the army, he would recommend it to the humanity of the government to adopt better plans than had hitherto been resorted to for the preservation of the health of our troops in the peninsula during seasons of inactivity.

Mr. *Bankes* protested earnestly against any principles which went to the introduction of a conscription in this free country, the consequences of which would be most dangerous to our constitution. After we had so often risen superior to the greatest dangers, he had no fear of the beneficial effects of the system of which we had had such long experience. He was not for opposing violence to violence, and wrong to wrong. The military expence was necessarily large, and if government did all they could to keep it down, it was, perhaps, as much as could be expected. Parliament and individuals ought, however, to help government in this respect. The disadvantages attending the course of exchange had been an unfortunate source of expenditure. As for promotion, if it were allowed too rapidly, it would, through the means of patronage, be more dangerous to the constitution than any evils which at present existed, by its slow degrees. He thought the late regulations a great improvement in the army. He therefore objected to any bolder mode, to which favour, as well as merit, would prevail. As to the expenditure with which this war was carried on, it was of so alarming and extensive a scale, that it was impossible for this country to support it much longer, as every one must be convinced that knew any thing about the state of our finances. If there were not a prospect of an early peace, the scale of our expenditure must be reduced; for the system of existing three years without further taxes was miserable, disastrous, and delusive in the extreme. But even were we to continue this dreadful struggle, Heaven forbid that we should ever see the day that a conscription should be adopted or followed in this country. Were we to despair of the safety of the country under a constitution which had enabled us to come safe through so many perils, unless we should adopt the system of France, a system devised by tyranny, for its safety, and which carried misery in the bosom of every family. This would be truly

"Propter vitam vivendi perdere causam."

He hoped, therefore, the hon. gentleman would have but few followers.

Mr. *Law*, in explanation, denied that he proposed to recommend the introduction of conscription into this country, but hoped he might say, Greece had in ancient days owed her safety to such a measure, and Sweden was at this day raised to importance by it. He had only said the war could not be carried on with effect, without having recourse to some measure for filling up the ranks in the army. This he contended was necessary to bring the war to a glorious conclusion, and without this the country could neither carry on hostilities with success, nor make peace with security.

General *Ferguson* heard the favourable mention of conscription with regret and astonishment. By means of voluntary enlistment more men turned out into the army in this country than were raised by means of the conscription in France, considering the difference of population. With respect to the medical department of our army, few people who had not been on service were judges. Disease, he believed, was not more frequent in our army than in any other exposed to the same climate. At any rate he was sure that no medical department in any service was better than ours.

Lord *Palmerston* disapproved of the mention made of conscriptions. If our armies were not so numerous as those of other nations, they had qualities which rendered them more valuable. Those raised by voluntary enlistment were more effective than those raised by conscriptions; and he should think a general would feel much more confidence in an army raised, as our armies were raised, than he could possibly have while leading to battle a band of slaves, torn from their homes by force. He thought the present period was not that at which it could justly be said that our troops were not well officered, after they had been fighting so long, and with such great success, under lord Wellington in the peninsula. With respect to the sickness mentioned, he had to say that he had not often read of armies, which, at the close of an active campaign, were not subjected to the visitations of sickness. He, however, was not aware that our troops had suffered more than those of other nations.

Mr. *Baring* stated, that the House had not the items of the charges, which precluded the possibility of particularly remarking upon them; for all that was before the House was, that Mr. Commissary drew for such and such sums of money, on such accounts. The expence in the peninsula had been greatly increased by the exchange, but it had also been incurred by the discount on great bills, which arose from the bad credit in which those bills were. These bills drawn by the commissariat in Portugal had fallen to a discount of from 20 to 30 per cent. in consequence of the difficulty of obtaining payment for them in this country. At the same time he understood, that some of them were paid from partial considerations. This practice he deprecated as not only unjust but injudicious, as inconsistent with economy, and as affecting the credit of the government. He understood that a considerable amount of debt had been contracted in the peninsula, in consequence partly of these transactions; but debt must be the consequence of such a system, for bad economy must lead to debt and bad credit. He wished to know the amount of the unfunded debt in the peninsula.

The *Chancellor of the Exchequer* stated, that the subject alluded to by the hon. gentleman, had occupied a very considerable portion of the attention of the Treasury. Circumstances like those he had mentioned (respecting the discount) had occurred, and had caused a considerable debt. The debt fluctuated very much; in the year 1812, it had amounted to four millions of dollars. He had heard accusations of partiality, but always found them to be unfounded.

Mr. *Bennet* wished to know, for what period the army in the peninsula was in arrear, as to its pay.

The *Chancellor of the Exchequer* said three or four months.

Mr. *Bennet* asked, whether the last payment was not on the 24th of December.

Mr. *Long* said, it had been on the 24th of March.

Mr. *Baring* asked for an explanation as to the corn purchased in the Brazils.

The *Chancellor of the Exchequer* said, the corn purchased in the Brazils was purchased at 63*s.* per quarter only, and he was happy to say that the army in the peninsula had provision for 100,000 men for twelve weeks.

The Resolution was then passed.

The *Chancellor of the Exchequer* then moved, that a sum not exceeding 100,000*l.* should be given in aid of queen Anne's bounty.

Mr. *Baring* objected, on the ground that the church collectively had sufficient property if it were properly distributed. There was no country in Europe, or the civilized world, in which the church enjoyed so large a portion of the produce and property of the people as it possessed in England. The amount indeed of the possession was unquestionable, and the only question was, whether this amount was equitably distributed. For his own part, he could not help thinking that the distribution was inadequate, or this proposition could not be necessary. In fact, it was evident that while the church derived so much from the industry of the public—while its profit interfered most injuriously with the agriculture of the country, the clergy were not adequately provided for. Instead of making the higher livings provide for the lower, which was the principle of the Stipendiary Curates Bill, it was proposed by this motion to burthen the public purse, leaving the higher livings untouched. This was now the fourth year in which this grant had been made, and he understood it was to be followed up with the devout intention of raising the amount to one million, to be invested in the funds. Thus it seemed that the church, in addition to all its property in land, was also to become a stockholder.

Mr. *Western* professed great respect for the church establishment, but had no objection whatever to a more equal distribution of church property.

Mr. *W. Smith* conceived the clergy to be in possession of a tythe, not only of the produce but of the rent of the country, but still he would not object to an ample provision for them, always conceiving that "the labourer is worthy of his hire."

Mr. *P. Carew* wished that means should be taken to enforce the residence of such clergymen as partook of this grant.

The *Chancellor of the Exchequer* said, that a condition of residence always accompanied any grant by the governors of queen Anne's bounty.

Mr. *Baring* hoped that no part of the money would be laid out in the purchase of lands, as he was peculiarly adverse to the grant of any more of our land in mortmain.

Mr. *P. Carew* recommended rather that such money should be applied in the purchase of the land tax.

After some observations, the Committee divided. The numbers were: For the motion, 94. Against it, 20. The several Resolutions were then agreed to.

HOUSE OF COMMONS.

Friday, June 25.

Paymaster General's Accounts Bill.] Mr. *Wharton* moved for the second reading of this Bill.

Mr. *Creevey* took that opportunity of saying a word on the place of Joint Paymaster of the Forces, and of asking whether or no it was the intention of government to suppress it? It might be recollected, that when he had made a motion to that effect, he had been answered by the gentlemen on the other side, that it was perfectly useless, as a Bill was then in its progress in another place, to suppress sinecures, under which description the place alluded to would come. It was however known to all, that the Sinecure Bill had been lost, and it was equally notorious that the right hon. gentleman opposite (Mr. Long) discharged all the duties of the situation, while the noble lord who was his assistant paymaster (lord C. Somerset) was employed elsewhere. In fact, the place was kept up solely for securing the interest of the duke of Beaufort. It was now too late in the session, to introduce a Bill for the suppression of that place; but as long as he should be honoured with a seat in that House, he would persevere in his efforts until he had attained his object. As to the other office to which he had alluded at the same time, he meant that of Paymaster of the Marines, he was glad to see that the intention of the Admiralty was to suppress it, at least he gathered so from the paper placed on the table of the House, and he had only to express his hopes that the other place would share the same fate.

Mr. *Croker* denied that the Board of Admiralty had in contemplation to suppress the place of Paymaster of Marines. The paper on the table proved on the contrary, that they considered that office as absolutely necessary, and they merely intended to establish new regulations.

Mr. *Long* took that opportunity of explaining that in a former night's debate he had not said that the army in the peninsula was paid to the 24th of March, as had been reported, but to the 24th of February.

Auction Duties' Bill.] On the report of this Bill being brought up,

Mr. *Whitbread* objected to the manner in which this Bill had been brought into the House, under a title, as he was informed, different from what it now bore, so that those persons who were most interested in its provisions, were absolutely ignorant that any such Bill was passing through the Commons. He understood that the Bill was founded upon principles nearly similar, if not exactly so, to the Auction Bill brought in last session by the right hon. the Chancellor of the Exchequer, and which was ultimately rejected by that House. That right hon. gentleman had, after that failure, in a manner pledged himself to the auctioneers, that no similar enactment should be attempted: but the Secretary of the Treasury, not at all deterred by the issue of the last attempt, had declared, as he was informed, that he would, notwithstanding, "try the experiment." He wished the Bill should be printed.

Mr. *Wharton* replied, that the Bill had never borne any other title, nor had it been clandestinely brought into the House. It had been before it several weeks. He solemnly denied he had, on any occasion, ever uttered the expression that he would "try the experiment." All the communications which he had with the parties interested in the measure had been free, open and amicable. He did not anticipate any opposition to the Bill. If it was the pleasure of the House that it should be printed, he certainly should not oppose it. The assertions of the hon. member, he contended, were totally unfounded. The city of London was deeply interested in passing this Bill; a deputation from it had waited upon him, to express their great desire for such an Act, and there were petitions from various parts of the country, speaking the same language.

Mr. *Whitbread* said, the assertions he had used were no assertions of his; they were what he had received from respectable authority. He certainly had been most grossly mis-informed as to the title of the

Bill. With regard to the expression of "trying the experiment," he would read to the House a sentence from a letter which contained that assertion. [Here he read, from a letter, a passage attributing those words to the hon. member.] He would suggest, however, as so much misapprehension had gone forth, whether it would not be better to print the Bill.

The *Chancellor of the Exchequer* said, he certainly had intended to bring in a Bill similar to the present, but as his time was so greatly occupied, he had requested his hon. friend to take that trouble.

Mr. *Fremantle* contended, that it was a Bill of great importance, not only as it affected individuals, but the revenues of the crown, and therefore he saw no reason why the hon. gentleman should not anticipate a discussion upon it. One of the clauses, he understood, enacted that all property put up to sale should be liable to duty, whether sold or not. There were other points, also, that required discussion, in his opinion.

Mr. *Wharton* said he had been totally misapprehended. What he had said was, that in the present stage of the Bill he had no reason to expect any discussion. Indeed he did not apprehend the Bill was liable to much objection; he had had frequent interviews with the principal persons affected by its provisions, and he had framed it, as nearly as possible, upon what he conceived, from those communications, would be most likely to secure the interests of the auctioneers in general. He would, however, propose, that instead of the Bill being recommitted on Monday, it should be committed now, with the amendments, and be taken into further consideration on Tuesday next.

Mr. *Huskisson* wished it to be printed, together with the amendments.

Mr. *Wharton* said, that when he introduced it, he intended it should have been printed after having been committed. The Bill had been communicated to a great many members: and several of the amendments were in consequence of suggestions from those gentlemen. Mock auctions, indeed, had become an evil of such intolerable extent, that some regulation was imperiously called for.

Mr. *Thompson* spoke in favour of the Bill. He thought the evil of mock auctions, which were nothing but swindling transactions, had been confined to the metropolis; but he found that they now infested every part of the country.

Mr. *P. Moore* said a few words in favor of the Bill; when it was committed. It was also ordered to be printed.

MR. CREEVEY'S COMPLAINT OF A BREACH OF PRIVILEGE.] Mr. *Creevey* proceeded to make the motion of which he had given notice. As it respected the House and the public, he regretted that the motion had been so long delayed, but he was glad of this circumstance as connected personally with himself, because the further this description was removed from the sentence that had been passed upon him, the less could it be considered as one in which he himself was interested on his own account. During the progress of his trial it was never his intention to complain to the House. He was determined that sentence should be passed upon him before he would state to parliament that, which, in his opinion, deeply affected the privileges of every man in that House and of all his successors. Strong as his feeling undoubtedly was on the subject, he would not now ask the House to come to any resolution on the case. He merely meant at present to lay the foundation for further and ulterior deliberation on this important subject, by bringing before the House a faithful narrative of all the facts and proceedings in this case, and as an inducement to the House to listen to him with attention, he would observe that this was the first case in the history of parliament, in which a member of parliament had been arraigned for words which were proved to have been spoken by him in his place in parliament, and in discharge of his public duty, let such words or speech have been afterwards printed and published by him or not. The facts were these:—Early in the last session of the last parliament, there was a discussion in the House of Commons on the affairs of the East India Company. He believed the question was the appointment of a committee to examine into those affairs. On that occasion he had urged the expediency of that which, in his opinion, would have been a preferable measure, viz. the opening of the trade with India to the outports. He had stated what from his own recent personal observation was the condition of one of those out-ports, the town of Liverpool. He had stated the evils which had resulted from the suspension of the trade with America, and from the other circumstances which had paralyzed the commerce of Liverpool;

evils, which a free trade to India alone was calculated to remedy. In the course of his speech he had mentioned in detail the misery which existed in Liverpool, such as the great and increasing quantity of poor, who were forced to apply for parochial relief. Shortly afterwards, during his absence on a visit to Liverpool, general Tarleton (then a member for Liverpool) declared in the House, that those detailed accounts were much exaggerated; and read a letter from a respectable merchant of Liverpool desiring him to contradict them. When he (Mr. Creevey) returned to London, it so happened that on the first day of his attendance in parliament, general Tarleton presented a petition from Liverpool, praying for a free trade to India. He (Mr. Creevey) then re-stated what he had before said (of the truth of which he had received ample confirmation during his visit); and, speaking of the distress of the town of Liverpool, took occasion to mention a great additional vexation lately inflicted on the inhabitants by new surcharges of property, which were attributed to an inspector of taxes, of the name of Kirkpatrick. Soon afterwards he saw very incorrect reports of this speech in several papers, and particularly in one published at Liverpool, and as his accuracy had been impeached by the declarations of general Tarleton, he thought it his duty, and conceived, and still did conceive it to be his right, to cause to be inserted, in that paper in which the incorrect account had been inserted, a correct statement of all that he had stated. He gave the printer of the Liverpool paper to which he had alluded authority to publish this corrected speech early in last March twelvemonth. It was printed in a few days. But it was not until the middle of October, at which period he was one of the candidates for the representation of Liverpool, after two sessions and the spring assizes at Lancaster had been permitted to pass by, that he learnt that an indictment had been preferred against him at the quarter sessions at Manchester, by the King, for a printed libel. He then thought, and he now thought, that he was completely justified in causing the publication of the speech in question. But with all due respect to the magistrates who compose the bench in the town of Manchester, who were most respectable persons, at the head of whom was a clergyman of high character, he did not conceive the quarter sessions was the proper tribunal to decide a question which involved the privileges of parliament; and he therefore moved his cause by Certiorari to the assizes at Lancaster. Last spring assizes it came on to be tried before Mr. Justice Le Blanc. It was admitted on the part of the prosecution, that all that had been written by him had been said by him in his place in parliament. The witnesses on the part of the prosecution proved, that he had directed it to be published for the purpose of correcting misrepresentation. No attempt was made to impute to him malice or private resentment: and an ulterior stage of the trial afforded him an opportunity of denying by his affidavit, that he had ever seen the prosecutor in his life, that he had ever had any private quarrel with him, or that he entertained towards him the slightest resentment.—His (Mr. Creevey's) counsel contended, upon the trial at Lancaster, that under all the circumstances of the case then proved or admitted, he was not amenable to the courts below; but Mr. Justice Le Blanc declared, that he must be bound by the case of the King *v.* the earl of Abingdon; that the privilege of parliament was entirely out of the question; that malice was not a necessary ingredient in a case of libel, that the only question was, if the words used were defamatory; and that in his opinion they were defamatory. On this direction, the jury, without hesitation, pronounced him (Mr. Creevey) guilty. Last term, he made an application to the court of King's-bench for a new trial, on the ground of his privilege as a member of parliament, and of misdirection on the part of the judge by whom he had been already tried. He was in court when the application was made, and he witnessed the unanimous declaration of the judges, that they were bound by the case of the King *v.* the earl of Abingdon. The lord chief justice (lord Ellenborough) said, that he had never heard a proposition so extravagant as the claim of a member of parliament to explain out of the House any conduct which he had pursued or any language which he had used within it. Mr. Justice Bailey considered the sending of a speech made in parliament to a newspaper as a degradation; although he must have known that it was the practice at all times, of the most distinguished persons, in both Houses, to publish their own speeches, and although he must have known that but a few months ago that highly respectable judge, Mr. Baron Wood, sent to a newspaper a copy of a charge to a jury which he had made, in order to correct a misrepresentation which had gone forth with respect to it. On the 20th of May, he (Mr. Creevey), was brought up in the court of King's-bench to receive judgment; when Mr. Justice Grose, in discharging that duty, pronounced sentence upon him, that he should pay a fine of 100*l.* to the King, and be committed to the King's-bench until the fine was paid. The learned judge almost made an apology for his lenity, by declaring that the printed paper which had been the subject of prosecution, was not so much a libel upon the tax-gatherer as a libel on Mr. Perceval, and a proceeding bottomed in disaffection to the state—thus, while passing sentence for a libel, most unjustly and most illegally libelling him (Mr. Creevey), by ascribing to him two offences for which he had never been tried. Now what was the nature of the case so strongly relied on as the ground of his conviction? Let it be compared with his own. In lord Abingdon's case no public subject was concerned. He had made a speech in the House of Lords, solely directed against the professional character of an individual, a Mr. Sermon, his attorney. It was proved on the trial that he had had a private quarrel with this gentleman, and that he bore him actual malice. It was proved on the trial that he had gone to the House of Lords with his speech ready written, that immediately after he had delivered it he caused it to be printed, and that he paid for such printing, and that he had evidently done all this with a view, under the shelter of the privileges of the House of Lords, of making a personal attack on an individual. Such was the case of lord Abingdon. What was his own? The speech which he had made related to a public cause. His observations bore on a public servant, the propriety of whose conduct was most important to his Majesty's subjects—a collector of taxes. He had spoken of a grievance deeply affecting a great and populous part of the empire, with which by birth and residence and various other ties he was closely connected. No attempt was made to prove against him any private quarrel or personal resentment, and it was proved by him that so far from going to the House of Commons to make the speech for the purpose of having it printed, the speech would never have been printed if the inaccuracy of those to whom the standing orders of the House refused permission to publish the proceedings of parliament at all, had not rendered correction indispensable. So far, therefore, were these two cases from having any affinity, that they appeared to him to be in perfect opposition. With respect to the decision in his case, he begged the House to consider to what extent the doctrine might be carried if the law were such as it had been declared to be. It would for ever put an end to all communication between the representative and the constituent bodies in this kingdom. That which he might not publish by writing he presumed he might not publish by speaking. If Mr. Justice Grose was right in proclaiming his offence to be bottomed in disaffection to the state (that was in proclaiming it to be a seditious libel), then, had he (Mr. Creevey), instead of printing his speech as he had done, waited until he became a candidate for the representation of Liverpool, and on the hustings there, either voluntarily or in answer to a proposed question, stated that which he in fact had written; and had that seditious libel been communicated to the Attorney General by some one who could have proved its utterance, the Attorney General would doubtless have filed an information, and, according to the justice dealt out to other libellers, he (Mr. Creevey) would most probably have expiated this offence in a distant gaol. Was this English law, or was it not? Unquestionably it appeared to him, that he was just as liable to be punished for a *viva voce* statement to his constituents, as for one written and published. If so, it was most extraordinary, that up to the present time, no one had ever heard of any member of parliament having been prosecuted for any statement or account that he might think it his duty to give to his constituents on any of the various subjects in which they might be supposed to be interested. It was well known that the greatest men had undergone parliamentary accusation. The great lord Bacon himself had not escaped impeachment. If any member of parliament of that day had told his constituents the reasons which had induced him to vote against lord Bacon, how could he have done so without using defamatory words? [The Attorney General shook his head.] The hon. and learned gentleman opposite seemed to dissent from this proposition. For his part, he was sure it could not be denied, and he should be glad to hear the Attorney General deny if he could, the truth of what he was stating or the inference he drew from it. He should exercise the privilege of correcting any inaccuracies that might be committed by the reporters, and that they should not be the only persons who were precluded from printing what they might say in parliament. As the law had been lately declared, any other individual might publish a member of parliament's speech; but if he ventured to do so himself it must be at the mercy of a judge, and the hazard of a gaol. It might be urged, that if the printer made misrepresentations, he might be reprimanded; but as for himself, he had no wish to punish misrepresentations. When they occurred, they were probably the result of haste and unintentional error, and in all events, a reprimand to the printer was no explanation to his constituents of what he had really said. He knew that many gentlemen, for whom he had the greatest respect, entertained an apprehension that the publication of speeches by members of parliament might be rendered a vehicle for the circulation of personal defamation. He conceived, however, that this objection ought rather to be made to reporting generally, for it was obvious, that if members were always to report their own speeches, they would be given in a more guarded as well as in a more accurate manner. But above all he insisted that the practice of printing members' speeches by others being now as it were law, it became a necessary and indispensable consequence, that if a reporter published for a member in his speech what he did not say, that such member in his own defence should claim the right of publishing what he did say. In speaking, however, of apprehensions or of jealousies, he must be permitted to say, he was much less jealous of members of parliament abusing their privileges to the prejudice of individuals, than he was of judges trampling upon such privileges to the prejudice of the liberty of the subject, and for the purpose of currying favour with the crown. When judges undertook to decide on privilege, they decided upon that which was originally constituted as a protection to the House against the usurpations of the crown; but at almost every period of our history, the judges have been found the willing instruments of the crown.—At the beginning of the reign of Charles 1, when the celebrated Mr. Selden, Mr. Hollis, and sir John Elliot, and others, had become obnoxious to the court, the surest way of getting rid of them was considered to be a prosecution in the court of King's-bench. The judges then said, as lord Ellenborough now said, we cannot interfere with speeches made in parliament; but then they said these speeches are made in an unparliamentary manner, and tend to excite disaffection in his majesty's subjects, and therefore no plea of privilege can be allowed. Every one hated and abhorred the atrocious judgments which the judges of that day pronounced upon those most virtuous and distinguished members of the House of Commons; they were all sentenced to be imprisoned during the king's pleasure; and the ringleaders, as they were called (of whom Mr. Selden was one) were to pay 2,000 marks as a fine to the king. (Hear!)—Some of these gentlemen died in prison, and others, upon petition, were afterwards set at liberty, on condition of not coming within ten miles of London, and giving security in 2,000*l.* for their good conduct. This was a judgment given to satisfy the court at the commencement of the reign of Charles 1, because the court was then all powerful; but in the course of a few years the Long Parliament having become paramount in the state, the judges of the King's-bench thought proper to transfer their allegiance. The Long Parliament having an atrocious act to perform, turned their attention to the judges, in order to obtain their sanction to the illegal proceedings against lord Strafford; they were asked as to the constitutional nature of that attainder; and their infamous reply was, through the lord chief justice, that it was their unanimous opinion, that lord Strafford had deserved to suffer the pains and penalties of high treason according to law. There was another flagrant case of the subserviency of the judges. Sir William Williams, who had been speaker of that House, and published Dangerfield's Narrative against the duke of York as speaker, and by order of the House, was prosecuted for this offence, after the accession of James 2, and sentenced by the then judges to pay a fine of 10,000*l.** These cases he thought sufficient ground for entertaining a great jealousy of the judges; he thought too that his own case rendered it still stronger. The Attorney-General seemed to smile, as if he (Mr.

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* For the Proceedings against sir William Williams for the publication of Dangerfield's Narrative, see Howell's State Trials, vol. 13, p. 1370.

Creevey, felt any soreness on this occasion. He could assure him that this was not the case—that he had no other feeling than that of pride and gratitude at the kindness and friendship which he had experienced upon this occasion.—He had no personal resentment of any kind to gratify, and had no object whatever but to induce parliament to take this question into its serious consideration. It was, in his opinion, connected with the most important privileges of parliament, and went to affect all future parliaments no less than the present.—And again he asserted that it was a case as much calculated to excite jealousy of judges as any of the cases he had mentioned. Having stated what he deemed to be the true and legitimate objects of jealousy with the House of Commons, viz. the crown and the judges, he had no hesitation in admitting that the House of Commons itself was too frequently a first object of jealousy with the people in the abuse or in the sufferance of the abuse of its privileges. In the course of the last parliament evidence had been tendered by members of that House of the ministers of the crown having violated privilege by trafficing in seats of parliament, and the House refused to inquire. But when an unfortunate man like Mr. Gale Jones attacked privilege, all was indignation, the Bill of Rights read, and the offender lodged in Newgate. When the duke of Cumberland and the duke of Leeds were accused and proved guilty of tampering with election, the good manners of the House suppressed every sentiment of disapprobation, but when Mr. Croggon was charged with precisely the same offence, privilege of parliament was maintained and the individual committed to custody. What he complained of was, not the exercise of privilege, but the direction of it against obscure persons who violated it, and an abject renunciation of it in cases where the parties happened to be high in rank or powerful in office. Privilege, rightly understood, was meant to be the protection of the people against the crown, but by the modern decision of the House of Commons, who ought to be its guardian, it is converted into an instrument of power in favour of the crown and against the people. To go back again to the judges and to his grounds of jealousy of them, he could mention one other case, which was extremely apposite, and illustrated most powerfully the variation in the opinions of the judges according to the character and situation of the accused party. In the case of the King *v.* Wright, it appeared that he, Mr. Wright, published the Report of a Committee of the House of Commons, charging Mr. Horne Tooke with high treason, of which he had been acquitted three years before. Mr. Horne Tooke sought his remedy in the court of King's-bench. Upon this occasion lord Kenyon suggested to the prosecutor, that if the copy of the Report was a correct copy, he had better not move for a rule, but that if the copy were untrue, the rule might be granted. Mr. Justice Lawrence observed, that the proceedings of courts of law as well as those of parliament, were regularly published, and, although often reflecting on the character of individuals, yet if those reports were faithful, it would be impossible to maintain a prosecution for their publication. Such was the observation of Mr. Justice Lawrence, whom no man, he believed, could rank below lord Ellenborough or any other judge for learning or ability. Mr. Justice Lawrence further remarked, in refusing this application of Mr. Tooke's, that if reports of proceedings in parliament or courts of justice were sometimes prejudicial to the reputation of individuals, it was an unavoidable evil, and not comparable to the general advantage gained to society by their publication. This free and accurate representation could not, however, take place if printers were liable to prosecution as libellers in so acting. Lord Ellenborough on the other hand had recently said, that he had never before heard any thing so wild as the proposition that a member of parliament had a right to publish a correct account of what he had said or done in parliament. Whilst these two cases were before them, he would openly assert that there was in this country as manifested in these instances one law for one man, and one for another. Mr. Horne Tooke was refused his redress, because he was a person obnoxious to the state. His prosecutor had succeeded, because he was an officer engaged in the collection of the revenue. He, on the other hand, was well known to have been actively engaged in parliamentary opposition to government. These circumstances convinced him, that it was highly proper that the attention of parliament should be called to the subject, and the contrariety of the legal decisions which had been made further convinced him of this propriety. He should conclude, therefore, by moving a Resolution containing a statement of all the circumstances which he had described, and, with a view of impeaching the record of the proceeding in the court of King's-bench, add, that Mr. Justice Grose, in pronouncing the judgment of the Court, stated, that the Court did not consider his offence merely in the light of an attack upon the character of Mr. Kirkpatrick, but as a libel upon the memory of Mr. Perceval, and as bottomed upon disaffection to the state, thereby illegally and unjustly pronouncing him, Thomas Creevey, to be guilty of crimes for which he had not been tried.

The *Speaker* said, that there certainly was no precedent of the House assenting to so long a narrative as that which had been read by the hon. gentleman without evidence, but although there had been no precedent for such a proceeding, it did not follow that such a question might not be raised.

The question having been then put,

Mr. *Williams Wynn* said, he did not see that there was any thing in this Resolution which demanded the consideration of the House; he could not help thinking, from the statement of the case made by the hon. gentleman himself, that the privileges of parliament had been in no respect infringed. When he heard of a breach of privilege of that House, he was astonished that such a delay as from the 20th of March down to the present period, should have been suffered to take place before any complaint was made to the House. He would admit that this delay had in some measure been created in obedience to the wishes of different members, but if it was his own case, he should not have suffered twenty-four hours to elapse, before he communicated what he might consider a breach of his privilege as a member of parliament to the House, of the rights and independence of which he considered himself in some measure the guardian. Now that he had heard the grounds of the hon. gentleman's complaint, however, as he had delayed it so long, he was surprised he had not delayed it until the session had concluded. The claims of the hon. gentleman amounted to neither more nor less, than that every member of that House, might publish what he thought fit, and then justify himself by saying that it was a speech which he had spoken in his place in parliament, and that consequently he was amenable to no other jurisdiction than to that House. For such a proceeding there was not the slightest authority on the Journals of the House, and he was astonished that any person could wish to extend the privilege of parliament to so extraordinary a length. The privilege of parliament implied that every member should have full and uncontrolled liberty of speech within those walls; but it could not extend to any thing said or published beyond them, without giving to every member of the House of Commons a right to libel whom he pleased, under the pretence of discharging his parliamentary duty. If, as the hon. gentleman said, he had only corrected a misstatement, that was a question for the jury, to whom, by Mr. Fox's Libel Bill, it was reserved, and it was their duty to determine whether the publication were for the purpose of refuting a false account, or for that of injuring the character of an individual.

The cases which had been cited did not appear at all to bear upon the present question, or where they did bear were decidedly against it. The cases of lord Digby and of sir Edward Deering had expressly determined that no member was at liberty to print what was said in the House, either by himself or any other member, without a previous permission. This doctrine was again recognized in the case of Mr. Hollis immediately after the Restoration, who having been misrepresented by public report, felt it necessary to apply to the House before he presumed to print his own speech. In later times, when Cave, the printer of the Gentleman's Magazine, was brought to the bar upon the charge of printing the debates, and was questioned how he procured them, he replied, that many of the speeches were furnished by the members themselves.* Yet this was not held to be any extenuation of his offence, though if members had a privilege to print their speeches, it would necessarily follow that all those who acted under their authority were equally justifiable.

The next argument which had been relied upon was, that for the publication of debates persons were indeed amenable to the authority of the House, but to no other tribunal. This was indeed true, so far as related to the offence against the privileges of the House, but it was very possible that the same paper which offended against those privileges, might be also a breach of the common or statute law, and therefore cognizable in the inferior courts.

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* See new Parliamentary History, vol. 14, p. 60.

To prove this, he instanced the case of bribery, which was an offence against the most sacred privilege of the House of Commons, and which had repeatedly been punished as such, yet it would be rather an extraordinary exertion of privilege if the House were to object to a court of justice entertaining an information or indictment for that crime. If this principle required any additional illustration, it would be found in the numerous cases of libels which the House had directed to be prosecuted by the Attorney General; because, though breaches of privilege, they were at the same time violations of law.

The case of the earl of Abingdon appeared in every respect perfectly similar to the present; and the only distinction which the ingenuity of the learned gentleman had enabled him to take between the two was, that lord Abingdon had made his speech in the House of Lords maliciously and gratuitously; whereas, the speech, which was the subject of the present debate, had arisen out of the discussion of a question of importance. With this distinction a court of law could not concern itself. If it did, the privilege of parliament would indeed be infringed, as the court would then be trying the propriety or impropriety of the original speech, and not of its subsequent publication.

The case of the King *v.* Wright differed from this materially, inasmuch as the publication there complained of was not the account of the speech of an individual member, but a copy of the report of a select committee of the House, which having been placed on the Journals of the House, became a part of its proceedings. It should also be recollected, that it came before the Court of King's-bench, not as in the present case by a motion in arrest of judgment, which it was compelled to decide upon, but by an application to exert its discretionary power of granting a criminal information, and superseding the ordinary process of the law.

He had now noticed all the cases adduced by the learned gentleman, which appeared to him to have the slightest relation to the present question. The fine imposed upon Mr. Williams, and since properly considered as illegal, was not for the publication of a speech of his own, originating from himself, but of a narrative, which the House of Commons had directed to be printed, and which he, as Speaker of the House, in execution of his office, had authenticated with his signature. The case of Elliot and the other members was equally foreign to the present, since that related only to their conduct in the House.

If, however, there was a far greater weight of authority and precedent in favour of the argument of the learned gentleman, there was a recorded opinion in opposition which would more than counterbalance it,—he meant that of Mr. Fox, which, upon a question like the present, was, perhaps, the highest that could be cited. Among the many subjects to which the mind of that great man had been applied, there was none of which he was more completely master than of all which related to the law and privilege of parliament. Educated in the House of Commons, he had deeply studied and was enthusiastically attached to its rights. Of the liberty of the press, he was the zealous asserter, and by his Libel Bill he had reared the most effectual barrier to defend it against the inroads of power. Yet this illustrious character, the champion of the privilege of parliament and the liberty of the press, had, in the year 1788, expressly asserted, that "he did not hold the opinion, that because members in the House may not only with propriety, but with strict regard to their duty, hold certain language, and declare certain sentiments upon any topic under their consideration, the public prints were warranted in giving those to the world at large. The freedom of speech he considered as the first and most essential privilege of parliament, inseparable from its dignity and well being; and he could easily imagine many cases in which *it would be a gross libel and breach of privilege in a newspaper to publish such words as he would find it necessary to make use of in his place.*"

It had been said, that if this claim of privilege were not allowed, members of parliament would be the only persons precluded from publishing their own speeches. He should contend, that on the contrary, they stood exactly on the same footing in this respect as any other persons. When the House had enforced the prohibition of any publication of its debates, that prohibition had applied to members as well as strangers, and since it had relaxed that strictness, it had overlooked this violation of its orders by all persons equally. It had still the power, if any unforeseen necessity should require, of again enforcing its regulations; but it was too much to say, that, on account of this forbearance, the members of the House or any other persons possessed the power of publishing libels on individuals, under pretence of reporting what had passed in the House. To this the privilege now claimed must amount if it were any thing. The person libelled had no opportunity of knowing whether the speech published had actually been spoken. A court of law had no means of enquiring into it, since it was well known no member could be compelled to give evidence of what had passed in the House. If the House itself were upon such an occasion applied to by petition, it could not upon the vague recollection of the individual members, try whether particular expressions had been used in a previous debate, nor could it discuss their propriety without violating that order of their own which directs that no words used in the House shall be questioned, unless objected to at the moment when they are used.

Upon the whole, he was convinced that if there was a settled design to overthrow the ancient and constitutional privileges of the House, no means could be found so effectual for that purpose as to extend them to a degree which would be burthensome and oppressive on all the subjects of the kingdom, and which had never even been claimed in any former period. The privilege of freedom of speech, as it had always been claimed by Speakers at the commencement of parliaments and as asserted by the Bill of Rights, was confined to words spoken within the House, and it could not be carried beyond that limit so established by our forefathers, without the greatest danger to parliament and to the constitution itself.

Colonel *O'Hara* spoke in favour of the motion. He argued, that the right of members to give their constituents an account of their sentiments delivered in parliament, implied a right to publish them to the kingdom at large.

Mr. *Western* said he could not vote for the motion of his hon. friend, in the shape in which he had brought it forward, though he should have voted for an inquiry to ascertain the right of parliament on the subject. In 1763, by a Resolution of the House, the privileges of its members were basely betrayed and surrendered ;* previous to that period the privileges of the House did extend to cases of libel ; and he thought it ought still to do so, as libel was one of the most powerful engines in the hands of the crown against the privileges of the House.

Lord *A. Hamilton* said, as he differed from his two hon. friends who had just spoken, and as he thought the question one of importance, he hoped he might be allowed to say a few words, and, as far as the law of the land was connected with the question, it had three times pronounced against the conduct of his hon. friend. The law considered the publication of the hon. gentleman's speech as a libel—such was the law, such ought to be the law, and it would be extremely disadvantageous to the public if it were otherwise. The decision did not restrain members from communicating their sentiments to their constituents, but it went to restrain members from publishing what the law of the land deemed a libel. He would uphold the liberty of speech as far as any man, but he could not support that supposed privilege which would enable any member of parliament to make what personal attacks he pleased on persons out of that House. He thought the privilege would be as injurious to the House as to the country ; it would not be more inimical to the liberty of the people, than to the freedom of debate. If the proposition of his hon. friend were pressed to a division, he should certainly vote against it. From the great regard he entertained for his hon. friend, he most reluctantly came to such a decision ; but he felt that he could not act otherwise without doing a material injury to the public and to the House.

Lord *Castlereagh* did not rise to prolong the debate after those speeches, which must be satisfactory to every mind, and as he wished to avoid expressing any opinion on the subject, he would rather move the order of the day than give the proposition a direct negative. As he was on his legs he would say one word in answer to an observation of an hon. member (Mr. Western). The inference drawn by that hon. gentleman from the paper he had read was, that the House ought to be very jealous of any interference in their privileges by the judges, particularly in construing the publication of speeches into libels. He granted, that when the judges were so dependant on the crown, that the bench was considered to be the crown, there might have been reasonable grounds for fearing that the crown would attack the privileges of the House through the judges; but now, when the judges were so pure, and so perfectly independent of the crown, no such jealousy could be reasonably entertained; more particularly when it was known that the sentence of the judges depended on the decision of a jury; the argument of the hon. gentleman was, therefore, not applicable in the present times. The noble lord moved "That the other orders of the day be now read."

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* See Parliamentary History, vol. 15, p. 1362.

Mr. *Western* explained. He had said nothing to impeach the integrity of the judges, or to induce an undue suspicion of them; all he had said was, that before the year 1763 privilege extended to libel, and it was only by the resolution of that year that the House recognized the doctrine of libel.

Mr. *Wynn* would enter his protest against the doctrine of the noble lord, that the House must not be anxious to defend its privileges, because of the extraordinary purity of judges and juries. The privileges they had heretofore possessed, he should ever be prompt to defend. He considered them as necessary now as they had ever been; and he thought it would be fatal to the constitution of the House, if they should ever be lulled into a false security by the personal character of judges. With regard to the resolution of 1763, it was a proof of the doctrine he had maintained.

Lord *Castlereagh* had not advised any surrender of their privileges, or any carelessness in defending them; but he had shewn, that the judges were not now likely to be influenced by the crown.

Mr. *Whitbread* wished to say a few words on the question, and would preface them by declaring his intention to vote for the amendment of the noble lord. The question was one so great, and at the same time so delicate, that even the Speaker himself must feel gratified, that it was likely to be disposed of without coming to any direct decision. Within the three last years, questions of privilege had been carried to great lengths in that House, and parties had gone into extremes on them; for his own part, he had steered a moderate course, not regarding their privileges so high as some did, nor deeming them so unimportant as others: he had seen the effect of those struggles, for whenever they had attempted to suppress the publication of the debates, the House had been uniformly defeated in such an attempt; he hoped they always would fail, and he was sure they always ought to fail—because, when such a system succeeded, all the essential qualities of the House would perish in the destruction of the natural intercourse between members and their constituents. The case of his hon. friend was not the case of a member publishing a speech for malicious purposes, but of one correcting an imperfect report of his speech, by publishing a correct copy of what he had spoken, and the prosecution had not been commenced until many months afterwards, and then purely for election purposes. The hon. member then adverted to the trial of his hon. friend, and considered him to have been harshly dealt with. What he had heard when sentence was passed, convinced him of the fact; when he was convicted of a libel on Mr. Kirkpatrick, the judge had told him that he had libelled the late Mr. Perceval, and that he was disaffected to the government. If libels were not to be tolerated in members of that House, he thought they ought not to pass unnoticed in courts of law; and if a sentence, such as he had noticed, was not made the subject of inquiry elsewhere, he did not know how his hon. friend was to be defended against such attacks. He was glad the question had been brought forward, as it might be the means of bringing that sentence under consideration. Members had an undoubted right to communicate with their constituents, but yet individuals ought to be protected against attacks in that House; and the country would be in a frightful state if members were allowed to say any thing in that House, and afterwards to print it, only because they had spoken it. Upon the whole, although he could not vote in favour of the original motion, but should support the amendment of the noble lord, he thought that his hon. friend had done the country a considerable service, by introducing this important question upon the Journals of the House.

The *Attorney General* expressed his great surprize at the singular situation in which the House was placed, without any distinct motion before it; and only with the long narrative of the case of the King *v.* Creevey, upon the table. He called upon the hon. gentleman to state the nature of his subsequent proceedings, and when he would bring them forward?

Mr. *Creevey* protested against the claim of the hon. and learned gentleman to put to him any such interrogatories.

The *Attorney General* went on to conjecture the mode that would be adopted, suggesting the impeachment of the judges

—an address for their removal, or for a copy of the record of the conviction of the hon. member. Perhaps all these motions would be attempted. Some most unfounded imputations had been cast, not only upon the judges, now so beneficially presiding in our courts, but even the dead had not escaped accusation. Lord Kenyon had been charged with having been swayed by personal enmity to Mr. Horne Tooke, in the case of the King *v.* Wright; and it had been more than insinuated, that lord Ellenborough would have pronounced a milder sentence on the present case, if the hon. mover had not been politically opposed to the existing authorities. These assertions were in themselves libellous and untrue, and it little became the decorum of the House to listen to them. The language supposed to have been employed by a venerable personage, who had just retired from the bench, had been noticed, but he (the Attorney General) would state without bias (for he declared, that having read none of the papers, he could do so) what, to the best of his recollection, were the words made use of, as well by Mr. Justice Grose as by the Chief Justice. The latter stated, merely in answer to the argument of Mr. Brougham, that he never heard of such a privilege as that claimed, that a member of parliament with impunity might libel all the King's subjects. It was childish to maintain that no malice existing no crime could be inferred; as well might it be asserted that Nicholson, the murderer of Mr. and Mrs. Bonar, was not punishable because he was not actuated by malice prepense against his master or his mistress. It was no answer for a man who, by accident, killed B, to say that his intention was to have shot A. With respect to what the venerable judge who pronounced the sentence, had said, he was persuaded the hon. gentleman (Mr. Whitbread) would admit the account he was about to give of it a fair one. The observations made by the judge were delivered as an apology for the leniency of the sentence. The sentence he was about to pronounce was marked with a degree of leniency, he observed, which looking at the record alone, it would be difficult to explain. The prosecution did not originate in any sense of public justice; the libel was published in March, and this action was not instituted till the ensuing October; and, he added, that the object of the speech was rather an attack against a departed minister, and, through him, his Majesty's government, than against Mr. Kirkpatrick. These it was true were not the words of the judge, but this was a fair representation of his meaning. It was not certainly the intention of Mr. Justice Grose to make up for the leniency of the sentence by libelling the hon. gentleman. He wished the words had been more guarded, but they did not weigh a grain in the sentence. The rights of the House would not be at all trenched on by the decision.

Mr. *Creevey*, in reply, said, had it not been for the very personal manner in which he had been treated by the Attorney General, he should have been quite contented to leave the question as it stood: he had done his duty to the House, the country, and himself, in bringing before them what he deemed a case of vital importance to the freedom of parliament, and of course to the country; he hoped that his jealousy of this case being the beginning or foundation of a new attack upon the privileges of parliament was unfounded, but as such he viewed it; and though he found little sympathy with him from the House on this subject, he should persist in recording upon the Journals of it the entire narration of these proceedings in his own case as he had moved it. It was a confirmation of his own opinion on this case, that the hon. and learned gentleman (Mr. Wynn) who was the only member that had introduced any research into the discussion, had not controverted any of the cases he had produced, or denied the justice of the application he had made of them. With respect to the learned gentleman, the Attorney General, he was really at a loss how to deal with him. In a question of all others that admitted of nothing but the most dispassionate consideration, he had contrived to transport himself into an absolute fury; any indifferent person entering the House and attending to his violence, would suppose his indignation could be directed against nothing short of the murderer of the late unfortunate Mr. and Mrs. Bonar. In a grave case of privilege of parliament, it might be expected that so distinguished a member of the law, of parliament, and of the state, as the King's Attorney General, a person too of his years and standing, would have produced from his research and stores of reasoning, some certain information to guide and direct the House. The truth, however, was, that the learned gentleman was utterly destitute of every kind of learning upon this subject. He had no doubts, he might safely say, that the King's Attorney General, speaking as he had done, so vehemently upon a question of privilege of parliament, had never in his life read one page of one of the many Journals of the House of Commons; in this helpless predicament and still determined to distinguish himself by taking a part in the debate, he very naturally resorted to his Old Bailey practice as his only ally: in the absence of all knowledge he contented himself with a kind of smart cross-examination of him (Mr. Creevey) as to the time and object of bringing forward this question, for all the world as if he had been a witness within his fangs on his former natural and favourite stage, the Old Bailey. He could inform the hon. and learned member, he was quite mistaken if he supposed this spirited sortie of his, on an occasion so little calling for it, when he displayed nothing else but his own track of information, had produced any sensation of alarm in him or respect in the House, and he should continue to exercise whatever he thought to be his rights as a member of parliament, without any apprehension of being proved to be wrong by such an opponent as the learned gentleman had shewn himself that night to be. As the majority of the House seemed desirous that the matter should proceed no farther, he was content on having his narrative of facts recorded upon the Journals. He would again state, that Mr. Justice Grose had said, the speech was less a libel against an individual than against the government, and that it was bottomed in disaffection.

Mr. Whitbread and Mr. Bennet confirmed Mr. Creevey's statement respecting the assertion made by Mr. Justice Grose.

The House then proceeded to the other orders of the day.

HOUSE OF COMMONS.

Monday, June 28.

Prince Regent's Message respecting a Vote of Credit.] The Chancellor of the Exchequer presented the following Message from the Prince Regent:

"George, *P. R.*

"The Prince Regent, in the name and on the behalf of his Majesty, considering that it may be of very great importance to provide for such emergencies as may arise, and relying on the experienced zeal and affection of the House of Commons, trusts that this House will enable him to take such measures as may be necessary to disappoint or defeat any enterprizes, or designs of his enemies, and as the exigency of affairs may require."

Ordered to be taken into consideration to-morrow.

Thomas Croggon.] The Report of the Committee to enquire into the circumstances attending the imprisonment of Thomas Croggon, was brought up by Mr. S. Wortley, and read. It stated that from the crowded state of the gaol of Newgate, it was not possible for the gaoler to allot any particular part to any description of prisoners; and that the treatment of Thomas Croggon, while confined by order of the House, had not been unusual or severe.—Ordered to lie on the table.

Victuallers' Bill.] Mr. Croker presented a Petition, signed by certain inhabitants of London and Westminster, against the Licensed Victuallers' Bill.

Mr. *Rose* observed, that this Petition appeared one of the most culpable attempts to impose on the House he ever remembered to have seen. Many of the names attached to it were spelt improperly. The Christian name "William," was invariably spelt with an *h*. Now, that one of the persons signing might sign his name thus, was not improbable, but that so many persons as there were of that Christian name concerned in this Petition, should spell their names so, was not credible. This proved, in his mind, that many of them had been written by the same hand. The allegations of the Petition, however, were so manifestly unsupported, that having offered these remarks, he had no objection to its being laid on the table.

Mr. *Croker* said, many of the names in the petitions presented on the subject of the claims of the Catholics had been written in the same hand, yet the petitions were not objected to on this account. The Petition had been put into his hands, and as the language of it had not appeared to him improper, he had thought it his duty to bring it before the House. If it was so eminently absurd as the right hon. gentleman seemed to think, in his opinion, it was admirably suited to the Bill to which it was intended to apply.

The Petition was ordered to lie on the table. Mr. Rose brought up the Report of the said Bill, and moved that it should be read. Mr. Croker opposed the motion, and moved that the Report should be read this day three months. A division then took place, when there appeared—in support of the Bill 41; for the Amendment 39; majority in favour of the Bill 2.—The Report was then read and agreed to, and on the motion that the Bill should be read a third time to-morrow, the House divided again, when there appeared in favour of the motion 46; against it 41; majority 5. The third reading of the Bill was fixed for to-morrow.

East India Company's Charter Bill.] Lord Castlereagh moved the order of the day, for the House to resolve itself into a committee of the whole House, upon the Bill "for continuing in the East India Company for a further term the possession of the British territories in India, together with certain exclusive privileges; for establishing further regulations for the government of the said territories and the better administration of justice within the same; and for regulating the trade to and from the places within the limits of the said Company's charter."

Mr. *Pascoe Grenfell* would say but a few words in this stage of the business, but he could not help observing, that they were going to try an experiment which was not likely to produce any material advantage to the private trader, and the consequence of which might be complete ruin to the East India Company. He also objected particularly to the clause for conveying missionaries to India, and thought they had sufficient facilities before.

Mr. *Whitshed Keene* spoke at length against the Bill, but in so low a tone of voice that it was impossible to hear him. He said, that considering all the circumstances under which the measure was attempted of throwing open the trade, and allowing missionaries to be sent to India, he was convinced it was pregnant with mischief to the Indian empire.

Mr. *Calcraft* approved of the Bill, as far as it went to place the commercial concerns of the East India Company under the superintendance of the Board of Controul. So many improvements had already taken place in the political department of India, owing to the influence of that Board, that the same beneficial effects might be expected from the same source, in the commercial department. He was confident that the opening of the East India trade to the out-ports, would prove highly beneficial to the country; but he objected to the length of time for which the new charter was intended to be granted. He objected also to the exclusive monopoly of the China trade being granted to the Company; he thought that branch of commerce absolutely necessary to enable our private merchants to avail themselves of all the resources which the countries of the East offered to their enterprising spirit. He should, in consequence, move an amendment in the committee on that clause. He had also a strong objection to the thirteenth clause; and he saw no necessity, and on the other hand much danger, in providing by law for the spreading of Christianity in India. Sufficient facilities had been given before for that purpose, and had the Resolution remained a dead letter on the Journals of the House, he might not perhaps have objected to it; but the public sanction of the law, which it was proposed that Resolution should receive, might excite a rebellion in India, which would endanger the lives of all Europeans there, and shake that empire to its very basis. An hon. gentleman had said that Petitions for that object had been received from all parts of the country, but he should also have stated that they uniformly came from the same description of people, who even went further than the Resolution of the House, for it seemed that nothing less than the total conversion of the Hindoos could satisfy their zeal. He thought that if the natives of India were once to suspect that government entertained such intentions, the effects would be disastrous in the extreme. After some few general observations, the hon. gentleman concluded by declaring that, in the committee, he should propose to limit the duration of the Company's charter to ten years, and the China monopoly to seven years; a time he thought sufficient to try the merit of the experiment. He should also move for omitting the clause relating to missionaries in India.

Mr. *R. Gordon* was of opinion that the arguments of interested monopolists on the one hand, and of sanguine speculators on the other, ought not to be put in competition with the happiness of the natives of India. They were told by the East India Company, Let us retain our monopoly, and every thing will go on well; but if you admit into India a set of brutal traders, who will pay no respect to the prejudices of the people they go among, who will ridicule their religious ceremonies, shoot their consecrated monkies, and cut off the old women's ears and noses, ruin must ensue. The advocates for the out-ports said, Throw open the ports of Bristol, Liverpool, and Hull, and all will prosper, as if the landing of a merchant in one of those places was sufficient to secure the happiness of India. He was of opinion that the whole system of our political arrangements ought to be completely altered. Before the new charter was sent to the Company to accept or reject, ministers ought to have prepared themselves to state the alternative. He could not, however, believe there was such a want of talent at the present day that an alternative could not be had. He was not disposed to assent to the Bill, as he looked upon it to be a melange of restrictions and concessions.

Mr. *Charles Grant,* sen. spoke to the following effect:

He said he felt himself called upon at this stage of the Bill, to offer some observations on the general scope and tenor of it, and preliminary to this, to take the opportunity which the forms of the House now allowed him, of vindicating the conduct of the Court of Directors, and the past system of the Company, from some imputations cast upon them in the course of the discussions on the important subject under consideration.

An hon. member (Mr. Whitbread) whom he was sorry not now to see in his place, had on a former night denied to the Company any share of the merit which was at length very generally acknowledged to belong to the British administration of India; and he even went so far as to question whether the natives were the better for the Company's government, and had not been happier under their own. After animadverting on different periods of the Company's management, he had said that from the appointment of the Board of Controul in 1784 the Company had not conducted the Indian government—that they had been cashiered by that act, that the directors had been the puppets and tools of the King's ministers, that they had nothing to do but to register the edicts of the Board of Controul, that lord Cornwallis had collected the ideas of his improvements from the papers of Mr. Francis, that the directors had reprobated the conduct of lord Wellesley, and were then obliged to sign a dispatch to him directly contrary to the one they had proposed, that changed into complete approbation.

All these statements were grossly erroneous. The constitution, indeed, of the Indian government, as etablished by the Act of 1784, was of a mixed nature. The Board of Commissioners appointed under that Act had undoubtedly the power of superintending and controuling the Company's administration, but the management was left with the Company. With them originated all orders and instructions to the Indian government, (saving what related to foreign politics, or war, peace, and negociation) and those orders and instructions regulated the administration of the British empire in the East. True, they were subjected to the revision of the Board of Controul, and they were occasionally altered in particular parts by that Board, but the great mass of dispatches which went to India on all the subjects of civil administration, in the departments of revenue, judicial administration, commerce, general government, and the government of the Company's army, were prepared in the India House, and probably not once in many of their dispatches was there any material alteration. He did not mean to say that the Board of Controul was not an useful institution, and that its superintendance might not be and had not been beneficial to the interests of British India. When its functions and powers were exercised according to the true spirit of its constitution, it no doubt served these purposes. But it had neither by law nor in practice that despotic authority which the hon. gentleman ascribed to it. The present system of Indian administration, composed of the Board of Controul, the Company represented by their executive body, and the government in India, was a system of mutual checks. The Board had a direct controul over the Company, and the Company was able, by the rights it still possessed, to resist the improper exercise of the powers of the Board. In his mind, Mr. Grant said, this was a very valuable part of the present system. Each department had its merit, but it was doing entire injustice to the Company to deny them any share where indeed their merit had been so considerable.

With respect to the affair of the dispatch proposed by the Company to be sent to lord Wellesley, the hon. gentleman was also wholly mistaken, and that very affair was a proof in express contradiction to his representation of the complete subserviency of the directors to the Board of Controul. Mr. Grant said he wished to wave any advertence to the system of policy then in dispute, but it was true that the Court of Directors had, in opposition to the wishes of the Board of Controul, brought forward the dispatch in question in order to convey their strong disapprobation of that system; and the Board had executed its power in refusing to sanction the dispatch. It is not, however, true, that the directors signed one of a directly contrary tenor, expressing approbation; for the dispatch substituted by the Board also censured the conduct of the governor general, though it did not go the length of the other, and the matter of the letter which the Court of Directors signed, was not contrary to their sentiments, though it did not express them fully.

In speaking of the effects of the Company's administration upon the happiness of the people of India, that administration ought to be distinguished into *external* and *internal.* Into the former, or the conduct of the Company's governments towards the native powers of India, he should not now enter. Its character was of a mixed nature, and most of the exceptionable transactions it exhibited, flowed from the servants of the Company, not from themselves. The present question was concerning the effects of the Company's internal administration. Here it was not his intention to undertake the defence of the Company or their servants, through all the series of their transactions; he meant not to do for them what could not be done for any government, but to speak of the general tendency and operation of their domestic government. It is true that in the tumult and disorder of the first revolutions which placed political power in the hands of the Company's servants, the people suffered much through the ignorance of the English and the misconduct of the natives, whom they necessarily trusted, but the genius of the British character soon began to discover and struggle against the errors and imperfections of that early period, and from the year 1769 to the present time, the principle of consulting the welfare of the people living under the Company's government has been recognized by them and their servants; it has gradually acquired more strength and authority, and for many years has been the governing principle of their administration. It is a mistake to ascribe all the good that has been done in India to the Act of 1784. Long before the passing of that Act the first ideas of the reforms afterwards adopted in the land tenures of India, and in the administration of justice there, had been developed in the discussions between the members of the Bengal government more rudimentally in the writings of Mr. Hastings and Mr. Barwell, with further advances in those of Mr. Francis. To the latter gentleman he did not wish to deny his praise, nor to the great statesman (Mr. Burke) who had distinguished himself by his knowledge of Indian affairs, and his discernment of the Indian character, although he could not, as had been done, ascribe to him merit which belonged to others. Those discussions in India certainly enlightened the administration at home. They may have contributed to the introduction of the Act of 1784, and to the formation of those instructions which lord Cornwallis carried out in 1786, and which formed the basis of his future measures, particularly the establishment of permanent landed property at an unalterable rent. But to India we are to look for the first traces of amelioration. The servants there first pointed out errors, and first suggested corrections.

It is now near thirty years since that Act was passed, and in all the time that has since elapsed, the internal improvement of our Indian territories has been progressive. Under whose management and direction has this improvement proceeded? It is to be acknowledged that the first president of the Board of Commissioners was a man eminent for the vigour of his mind, and the justness of his views of Indian policy; and the selection of lord Cornwallis to be the first governor general under the new system, was a most happy circumstance. In his character were united a rare assemblage of qualities peculiarly fitting him for the great task assigned to him. To him India and the mother country, the Board of Commissioners and the Company were all greatly indebted. But his character belonged no more to that Board than to the Company. Both were much guided by his opinions. Through all the periods in which these two distinguished men acted, the Company had a large share in the management and direction of the Indian system; and since their time the Company have still continued to perform the important part assigned to them in the system, whilst the practical administration in India has essentially depended on the body of the servants, formed under them, and exceeded in talents, labours, and public spirit by no functionaries in the world.

To form a just estimate of the Company's Indian administration, it ought to be compared with that which preceded it under the Mahomedans. In the time of the nabobs who had assumed independence, and of those who succeeded them under the auspices of the English power, the people were exposed to insecurity, injustice, oppression, and misery. Despotism in gradation from the highest rank to the lowest was the principle of government. Now the people have a constitution formed by a code of Indo-British regulations, sanctioned and confirmed by the British legislature; they have security of person and property, equal laws which give them protection even from the unjust exercise of the power of government. The consequences are such as these advantages will always produce, a greater degree of tranquillity and enjoyment, and a principle of increasing prosperity in the mass of the people. Instead of objecting that something yet remains to be done in the improvement of the internal administration, the wonder is that so much has been effected.

On the embarrassed state of the Company's finances, of which so much had been said in the course of the present discussion, Mr. Grant remarked that it was to be ascribed to the very long war which had prevailed in Europe, and to Indian wars which the Company had not occasioned nor approved. These had produced in Europe a loss of eight millions sterling in the freight alone of the Company's shipping; and in India, through the operation of those wars and the expeditions against the European enemies of this country, the territorial debt had increased 20 millions. The transactions that had led to this vast increase of debt, which undoubtedly had long pressed the Company down, and must still continue to be felt, had been sanctioned by parliament. It was unjust to accuse the Company or their system as the cause of this accumulation, or of the inconveniences produced by it. There is no reason to suppose that if the country had been in the hands of government, the same effect would not have followed perhaps in a greater degree, for the Company had at length taken strong measures to check the progress of those wars in India.

It was for the maintenance and safety of the Indian system at present established, and productive of such beneficial effects in the Eastern possessions, that the Company were now chiefly solicitous, and it was never to be forgotten that they contended for commercial privileges mainly on political grounds. He had opposed the innovating theories of those gentlemen who were for destroying the existing Indian system, a system which had hitherto produced such numerous advantages to the country, because he apprehended that in the pursuit of commercial benefits which certainly never would be realized, those solid advantages already possessed would be endangered. But after all the discussions which had already taken place, and the stages the Bill had passed through, he would not go again into these topics. The sentiments he had delivered upon them he maintained, not from such contracted views as might perhaps be imputed to him on account of the connection in which he stood with the Company, but in consistency with his duty as a member of that House and a citizen of the empire.

In regard to the proposed charter as the Bill now stood, he must acknowledge that he still deemed the terms of it disadvantageous to the Company, but he thought it also fair to confess that the apprehensions he had at first felt from the Resolutions originally brought forward, were considerably abated; the dangers did not now seem so formidable as they then appeared. The vast mass of convincing evidence which had been adduced before parliament, in proof of the impracticability of extending in any material degree the vent of British manufactures in India, had sobered the public opinion, and many of those persons, who in the early agitation of the question of a free trade, were most sanguine in their expectations, were now convinced that India afforded no new world for commercial enterprize. Hence it was not likely there would be that confluence of ships and adventurers to the Eastern seas, with the consequent smuggling of tea, which were at first feared, and this allayed the apprehension of a diminution in the profits of the China trade. With regard also to the home finances of the Company, he was relieved from the apprehensions the Directors had entertained on that score, in finding from communications which had passed between government and them, that measures would be adopted by his Majesty's ministers to provide for the payment of the transferred territorial debt, and he trusted also that the realization of the dividend to the proprietors would be rendered more secure. These were material circumstances, but still the Bill, though thus softened in some of its features, certainly contained very exceptionable and alarming provisions. By the regulations which it proposed, the old established practice of the public periodical sales of the Company at home would be broken down, and the consequences of so great a change might prove extremely prejudicial to the Company's Indian trade. Hitherto the sale of Indian commodities, whether on the account of the Company or individuals, had by law been confined to the port of London and to public auction. By the proposed change, those commodities would be vended privately in the out-ports, and might be so in the metropolis; and their private sales might always forestall those of the Company which were to be fixed by public advertisement, and thus deteriorate the prices of the Company's goods, and mar their mercantile operations. While also he was ready to confess that the wild speculations of individuals might be restricted by some of the checks introduced into the Bill, still it seemed to contemplate a system of licensing ships by a new power vested in the Board of Controul, which power, if largely exercised, might introduce a number of Europeans into India, and the idea of a divided authority, or of two distinct powers there, an idea hitherto unknown and likely to destroy that unity of administrative power which had hitherto subsisted in India—a change which would manifestly tend to disturb the government there, and to injure the public interests. To this part of the Bill, therefore, he was strongly adverse, and there were other parts of it also which he deemed objectionable, but into these he would not now enter.

Under all these circumstances, the East India Company were reduced to the unpleasant dilemma of either accepting the proposed charter, such as it was, and conforming to its enactments, or of suddenly terminating their system altogether, to the obvious danger of convulsing the Indian government, and breaking down the system and spirit of the service, and ruining all those dependent on the Company at home. What the Proprietors or Directors might do in such an embarrassing conjuncture he would not presume to anticipate; no final decision had been adopted, although the subject had been under consideration at a recent meeting of the Proprietors; but he would take the liberty to read the conclusion of a report which the Directors had then submitted to the Proprietors, and which exhibited their view of the Bill as it then stood.

" Supposing, however, from the circumstances now mentioned, the commercial profits and the home funds of the Company to be preserved from falling into a state that would interrupt the currency of their affairs, it is still to be expected that from so great a change as the opening of the India trade, from the dispositions of the new adventurers, the restrictions on the Company's Indian investment, and the interference with their public sales, very serious derangements and inconveniences must ensue; and of these evils the executive body may reckon on experiencing a full share. A distinction, however, may equitably be allowed between such disadvantages as would militate essentially against the Company's system, and those which would prove only of an inferior nature; and perhaps some distinction may be made between the Company's undertaking to execute a system proposed by themselves, and a system prescribed to them by the will of the legislature.

" On a question, however, of such unspeakable importance as the present, all the interests belonging to it, or connected with it, ought to be brought into view; not only the interest of the Proprietors, which is the nearest and most immediate concern; not only the numerous interests belonging to, or connected with, the Company at home; but the interests of the Indian empire which they have raised, and its vast native population which has flourished so much under their government; and the interests of the civil and military servants who have administered so excellently, and with a character that adds lustre to the British name, the affairs of that empire; the peculiar constitution and genius, also, of the system from which such great effects have arisen, and which seems alone fitted to continue them; nor let the Company be supposed, on such an occasion, to leave out of their contemplation what has always been an object of their regard, "the interests of the United Kingdom at "large.

"Upon all these considerations, with "the others here mentioned, and upon the "fitness of the Company's situation at the "present moment for a final settlement "with the public, the Proprietors, to "whom the executive body, without pre- "suming to interpose any opinion of their "own, respectfully submit this short ex- "position, will have to determine."

The honourable member to whom he had before alluded (Mr. Whitbread) had set out with saying, that the Directors had been long the mere instruments of ministers, and yet in the close of his speech he had in the way of objection to the present Bill said, that if it passed, the whole would soon fall into the hands of the crown, thus implying that hitherto it had not done so; but still the hon. gentleman went on to profess his concurrence in most part of the speech of a noble lord (Grenville), and particularly in that noble person's doctrine of taking the government of India entirely for the crown.

Mr. Grant expressed his sorrow to see such a doctrine so far accredited. It had already, he thought, been sufficiently rejected, and he trusted that it would never be adopted, either upon mere authority, or upon such erroneous grounds as those urged in support of it; and if it were to be considered at all, that due regard should be paid both to the immense addition of power which it went to give to the crown, and to the excellent practical effects of the Company's government which it was now proposed to supersede. For his own part, Mr. Grant said, he should despair of the continuance of that high public spirit, those energetic labours, that intelligence, that elevated tone of character which distinguished the great body of the Company's servants civil and military. Instead of the publicity, the open theatre, upon which all these proceedings were conducted in the view of the different authorities at home, of the whole body of the India Company and of the nation at large, they were to be placed under the orders of a colonial secretary of state, or any governmental department of that nature, and all these recorded exertions to centre in a colonial office. And with the fall of the high spirit of the servants, he should consider that the excellent practical system of local administration so essentially formed by their agency would sink likewise. Nor would the removal of so great a member of the present Indian system as the Company, whatever some persons may think of it, fail to produce most prejudicial effects upon the general administration of the Indo-British empire, which, if left wholly to the conduct of a secretary of state, would be deprived of many important and salutary guards and aids afforded by the present system.

But the most extraordinary of all the propositions advanced in support of a transfer of the Indian empire to the crown, was that which related to the Indian patronage, a patronage which, it has been agreed on all hands, could not with safety to the British constitution, be placed in the disposal of the King's ministers. And to obviate this very grave difficulty it has been imagined and seriously contended that the Indian patronage might be directed into channels which would separate it entirely from the ministers of the crown. The government of an immense empire, yielding a revenue of 16 millions, containing a vast number of honourable and lucrative offices and appointments, to be given to them, and yet to suppose it possible that they could be excluded from the patronage of these offices and appointments, that whatever preventive resolutions or forms should be adopted, the administrators of that empire should in fact and in practice have nothing to do with the selection, the promotion, the personal interests, views, and connections of the numerous functionaries employed there under them, though those ministers had at the same time the government of this great country also in their hands, was, he might presume to say, to suppose a case of which the history of political society had afforded no example, and which indeed seemed contrary to the nature of things. In every view therefore he considered the existing system of governing India through the medium of the Company to be the best both for that country and for this, and he hoped no attempt would be made to supersede it for the purpose of bringing into experiment an untried theory, not likely to maintain the benefits actually in possession, and manifestly involving new and great evils.

Mr. Grant then proceeded to make some remarks in addition to those he had formerly delivered on the speech of an hon. member (Mr. Rickards) who had, in a preceding step of the discussion, arraigned the Company's system of revenue and judicial administration.

That hon. gentleman, he said, had, at the commencement of his speech, excited the attention of the House by proposing to lay before them the result of many years' Indian experience; and how did he execute this proposal? By describing to them the state of a country in which he had not served, in which he never resided. He had expatiated on the prejudicial effects of the permanent settlement of the lands in Bengal and its dependancies, where he had had no local experience, and on the condition and circumstances of the native population there, of whom, from personal observation, he had no knowledge. This was the first and great branch of his Indian experience which he submitted to the House. His statements had not even the recommendation of exhibiting original information derived by him from other men. His great storehouse was the Fifth Report of a Committee of that House, printed and in every body's hands. From this repository, and not from his own knowledge and experience, he drew his materials. But he drew them in such a way as to favour assertions and conclusions directly at variance with the main scope and tenor of that Report, which were to shew to the House and the public that India, and particularly Bengal, had reaped great benefit from the measures of the permanent land settlement and of the judicial administration, both introduced by lord Cornwallis, followed up by his successors, the lords Teignmouth, Wellesley, and Minto, and accused by the hon. gentleman.

In proof of this, Mr. Grant quoted the concluding passage of the Fifth Report, relative to Bengal, which ran thus:

"Although the view given, in the foregoing part of this Report, may show, that certain imperfections are still found in the system of internal government in the Bengal provinces; yet it can, in the opinion of your Committee, admit of no question, whether the dominion exercised by the East India Company has, on the whole, been beneficial to the natives. If such a question were proposed, your Committee must decidedly answer it in the affirmative. The strength of the government of British India, directed as it has been, has had the effect of securing its subjects, as well from foreign depredation, as from internal commotion. This is an advantage rarely experienced by the subjects of Asiatic states; and, combined with a domestic administration more just in its principles, and exercised with far greater integrity and ability, than the native one that preceded it, may sufficiently account for the improvements that have taken place; and which, in the Bengal provinces, where peace has been enjoyed for a period of time, perhaps hardly paralleled in Oriental history, have manifested themselves in the ameliorated condition of the great mass of the population: although certain classes may have been depressed, by the indispensable policy of a foreign government. The nature and circumstances of our situation, prescribe narrow limits to the prospects of the natives, in the political and military branches of the public service: strictly speaking, however, they were foreigners who generally enjoyed the great offices in those departments, even under the Mogul government; but to agriculture and commerce every encouragement is afforded, under a system of laws, the prominent object of which is, to protect the weak from oppression, and to secure to every individual the fruits of his industry.

"The country, as may be expected, has, under these circumstances, exhibited in every part of it, improvement on a general view, advancing with accelerated progress in latter times."

He then read from the same Report a longer passage containing the concluding remarks relative to the territories under the government of Fort St. George, by which it appeared to be the opinion of the Committee that the permanent land settlements made in the Northern Circars, had produced similar benefits to those experienced in Bengal, but that in other provinces under the Fort St. George presidency, it would be expedient to reconsider the principles which had been acted on, with a view to modifications and improvements derivable from the further lights that had been there obtained on the subject. And the extract closed with the following words:

"One circumstance appears to have peculiarly contributed to make the situation of the great body of the natives, under the government of Fort St. George, infinitely superior to what it was under their Mahomeddan rulers, and by which all the other advantages extended to them, are, as it were, confirmed and secured; that is, the vigour, the efficiency, and, if the expression may be allowed, the unity of its authority, which neither acknowledges nor permits divided sovereignty, but which keeps every other power in subordination to its own. The beneficial operation of this state of things, has been greatly felt in Bengal; but, it is believed, much more on the coast, arising from the greater degree in which a turbulent and warlike spirit pervaded the zemindars, the poligars, and other chiefs. As long as they were allowed to maintain their military retainers and establishments, they not only bade defiance to the government, but were constantly carrying on petty wars, one against the other; by which, the fields of the ryot were over-run and laid waste, his crops destroyed, and whatever other property he possessed, became a sacrifice to the predatory bands of contending parties. Even the potail of a village, in many parts of the country, had his small military retinue; and among this description of persons, the same scenes of intestine disturbance were exhibited, though on an inferior scale. At present, there exists not, unless it be in the hills of the Northern circars, and in some few other places, any military force kept up by individuals. The unruly and restless spirit of the poligar, is gradually giving way to the peaceable habits of the landholder; and the ryot is enabled to pursue the cultivation of his fields, without danger or apprehension. It is not meant by your Committee to assert, that the evils which are here alluded to, are not occasionally still experienced, but they are now only occasional, where they were continual, and when they have unhappily occurred, they have been vigorously and promptly suppressed, and have led to those further measures of effectual precaution, which a powerful government has alone the means of employing, and which it is its duty to employ, when necessary, for the protection of those committed to its care."

The hon. gentleman (Mr. Rickards) had quoted Mr. Colebrooke as adverse to the permanent settlement in Bengal, but so far was this from being the fact, that in a Minute of the 20th June, 1808, Mr. Colebrooke, in reply to the objections urged by the commissioners in the upper provinces to the extension of that system into those provinces, urged the immediate introduction of it. The hon. gentleman calls a people much unknown to him, as it has appeared, a nation of beggars, and his illustrations of this position are, that they live upon rice, and have only a slight covering of cotton cloth; that they are obliged to till the lands for want of other employment; and that the cultivators are worse off than other labourers, and cannot get rich by means of industry. In these particulars, so far as they now exist, the hon. gentleman seems to have described the Hindoo people in all ages, and under their own governments. Was there ever a period in which the main article of their food was not rice, in which the common people wore any thing but a slight covering, or perhaps only a cincture of cotton cloth? Such are now the chief food and clothing of many among them able to afford more costly things. Their customs, their climate, dispose them to much simplicity in these matters, and this simplicity is not to be taken as a proof of poverty, or a proof that those who are confined to it from necessity, are, in the sense of that people, in any greater state of poverty than the peasants of this country are relative to the other classes. A rich Hindoo, when he retires from attendance on his European master, puts himself at ease in a thin partial covering of cotton cloth. The Hindoos have been in all ages an agricultural people; they are fond of occupying land; even the manufacturers employ a part of their time in cultivation or gardening. Is not the cultivation of the soil naturally practised in all inhabited countries? Is it not desirable this should be so? Could we think well of the state of a country where the people did not chuse to cultivate the soil? and what shall be said of the political wisdom of representing their doing so as a hardship, or the result of necessity, because they can get nothing else to do? And is it peculiar to Hindostan that the peasants do not become rich by their industry? Where is the country in which the manual labour of the agriculturist, or even of the manufacturer, makes him rich?

Mr. Grant said, he had on a former night endeavoured to correct the hon. gentleman's representations regarding the division of the produce of the soil between the government and the zemindar. The one-tenth mentioned by the hon. gentleman was ten per cent. on the government share of the produce, now usually converted into a money rent. This was an established usage in the country anterior to the administration of the Company, and seemed to be in the nature of a commission, or, as it is literally termed, a subsistence, to the zemindar as the officer or collector of government; and this being derived from two crops at least in the year, it is evident that the quantum of subsistence given there in one year, would be equal to the quantum of subsistence given in two years where only one crop per ann. was produced, that is equal to 20 per cent. in such a country as this. But though this was the original rule of division, the hon. gentleman had no right to assume that it was all which in fact accrued to the zemindar from his office. It was customary for him to receive various presents and contributions from his under tenants, and it is supposed that he reserved portions of land which he never brought at all into the view of government, and the government share of which was therefore all his own; a supposition warranted by known facts. Moreover, the demand of government upon the zemindar being now fixed, whatever improvement he can make in the land will be to his exclusive benefit. It can no more therefore be affirmed that the zemindar pays to government nine-tenths of all his present receipts, than it can be said that the land of this country lately paid to government the proportion of its actual rent, at which it was taxed in the time of king William, a case cited not as a parallel one, but for illustration. So with respect to the share of the gross produce paid to government by the under tenants or ryots, although it was usually, and had been long estimated at one-half, it was not true that this was the invariable or even general standard of the government demand. A paper which he read, stated "that the proportion varied from a half to a third and even lower according to the qualities of soil; it being obvious that the cultivator of a rich farm can afford to pay a larger proportion of the gross produce than the cultivator of a poor farm: the labour required, being the same in both, and the quantity of seed greater in the latter case than in the former. But very often a deduction is made from the gross produce for the support of village officers, and sometimes for the payment of allowances to brahmins, before the crop is divided or rather before the rate of assessment is fixed, the dues of government being no where levied in kind."

It was certainly true that many of the zemindars of Bengal were fallen into decay, and apparently in consequence of the permanent settlement which was intended to be a great boon to them, and might have proved so, had it not been for their incapacity, their habitual indolence, and their entrusting their affairs to careless, dishonest dependants. Considerable sales of their lands had hence become necessary in the early stage of the permanent settlement to pay their arrears of revenue, and so far as they were thus subjected to hardship, the effect, however arising partly from themselves, was to be regretted, though it was also true that the dismemberment of such very large estates or rather territories as some of them possessed would be no injury to the country in general. Neither was it just to assert, as the hon. gentleman had done, that the ancient frame of society was broken down, because some of one class, though a very considerable class, had fallen into decay and obscurity. Their rank in society, though not their great estates, would be occupied by the prudent and industrious of their order. And the evil to which their decline is imputed has now very much ceased. In a paper which he held in his hand it was stated "that the land annually advertised for sale in Bengal to secure the realization of the public revenue does not comprize a jumma or assessment of one lac of rupees, and the land so disposed of generally brings from four to five lac of rupees, which is about 45 years' purchase of the zemindar's share of the rent, supposing it to be only a tenth." And as a proof of the facility with which the rents are now paid in Bengal it is further stated, "that three months after the close of the official year, the arrears of land revenue out-standing do not amount to one half per cent. on the jumma or rent-roll." To this it may be added that the rent paid now is not greater than it was 30 years ago, although the population be increased; which two facts, increase of population and no increase of rent, together with another admitted fact that cultivation has also been extended, must be taken as clear signs of the improvement of the country, and so the Bengal government have understood them. The hon. gentleman in the view he gave of the state of the landholders in Bengal, seemed not to be aware of a most material fact that there was a great deal of the land of that country held in free property, having been bestowed for religious or other purposes, and a great deal too, as is generally believed, which had been fraudulently alienated from government, and now paid no rent to it. The possessors of those lands could not possibly be classed as under the circumstances in which the zemindars are described by the hon. gentleman, because not subjected to the sales of their lands or to any distress for rent.

With regard to the peninsula, it would

appear from the Fifth Report, a passage from which he had already quoted, that the same spirit of general improvement was operative there as in Bengal, though many of the provinces being of recent acquisition, and not yet well accustomed to our government, nor prepared for our system, the progress was more slow, but still in various divisions of the territories of that presidency the amelioration was evident and advancing.

That under both presidencies, and in all the vast range of the Company's dominions, a system of judicial administration had been established, to which for purity, equity, and a solicitous regard for the rights of the people, nothing comparable had ever been exhibited by the native governments of India, was a truth which could not justly be disputed. But in so vast a population, peculiarly attached to established usages, and where the administrators of justice were comparatively so few, it was not to be wondered at that objections and defects still remained. The police in Bengal especially, of the imperfect state of which, as acknowledged in the Fifth Report, the hon. gentleman had availed himself to disparage the Company's system, it had been found very difficult to render completely efficient. This was in part owing to the great extent of the country, its many rivers and forests, which afforded the decoits or gang robbers easy means of retreat and concealment—but it was also much owing to the abject spirit of the people, who, void of public principle, did not second the efforts of the government, although they were themselves the great sufferers. But there was reason to hope, from authentic recent information, that obstacles hitherto perplexing would be surmounted, and a greater degree of security and tranquillity be at length established.

On the whole, he hoped the House would not be induced to draw any conclusion unfavourable to the Company, on the authority of the hon. member. That hon. gentleman had himself no practical knowledge of the countries and people forming much the greater part of our Eastern empire, concerning whose state he had so decisively pronounced, and his representations were in opposition to the voluminous records of the Company, and to the testimonies of the highest characters, which concurred in shewing that such a system of legislation and justice as was instituted by the Company had never before been known in that region of the world. The practical knowledge of the hon. gentleman in matters of revenue and justice was, he believed, confined to the Malabar coast, where certainly the state of the people did not warrant his representations, landed property, with a portion of the advantages resulting from it, having long existed there; and accordingly the hon. gentleman had drawn nothing in support of his statements from that quarter in which, and in which only, he had had the local experience, upon which he had professed to proceed in first soliciting the attention of the House. The hon. gentleman's acquaintance with the affairs of the Company was chiefly confined to the western part of India, which afforded no picture of the state of things in the Company's other possessions.

Into the hon. gentleman's statements concerning the profits in the Company's trade, his allegations of their carrying on trade by revenue in India and borrowed money at home, his analysis of the Indian debt and revenues, Mr. Grant said he would not attempt to go. It was impossible to follow his speech on these points. He supposed the hon. gentleman would render his statements more public. He hoped so, and then the hon. gentleman might depend on it they would receive a full answer. He read some extracts from the Company's records to explain and vindicate the Company from the charges of the hon. gentleman relative to a contract for pepper into which they had entered with the rajah of Travancore. It appeared that there had been various contracts from a pretty early period, and that the one they were accused of having departed from, was comparatively of recent date, was framed in terms which left them a great latitude and discretion. That the servants of the rajah, whenever they could dispose of his pepper on better terms, were backward to fulfil his engagements with the Company, and that the last contract which had been made for five years was now expired, and had not been renewed, so that this concern was at an end. Mr. Grant also referred to some documents and facts in defence of the proceedings on the part of the Company in the provision of Surat cotton, which Mr. Rickards had accused, and to the representations which that hon. gentleman had made of coercion and oppression exercised towards the manufacturers employed for the Company at Surat, where they had sometimes provided their investment by contract with native merchants, who then had to transact immediately with the manufacturers. Mr. Grant opposed the code of regulations framed and published at Bombay on the model of those of Bengal for the protection of the manufacturers, which regulations, printed, were now before the House. But, said Mr. Grant, supposing any thing had been wrong in these commercial transactions, it was the act of the Company's servants;—it was contrary to the intention of the Company, it was not their interest that their subjects should be oppressed; it was their wish to promote the welfare of that people, and where errors have been discovered they have been earnest to correct them. But if the hon. gentleman, who was a member of the Company's government at Bombay, saw such proceedings, was it not his duty to have opposed them, and to have denounced them to his employers? Would it not, he submitted, have been more becoming in a servant of the Company to have stated the grievances which he supposed to exist to the Company themselves, rather than to bring them forward as a subject of charge in that House, in order to bear hostilely upon the important question of the renewal of their charter? He concluded by expressing a wish that the Company might still be enabled to maintain that system which had produced such beneficial effects, and that the House would seriously pause, before they adopted measures which might endanger the system, and on which the happiness or misery of millions might depend.

Mr. *Lushington* expressed his conviction, that the East India Company not alone had been, but might still remain, a most successful source of national greatness. With regard to the China trade, he thought the preservation of it to the Company, was absolutely necessary to the existence of their political power in India. With respect to India itself, he could not help thinking, that the proposed extension of the trade thither, was likely to prove singularly advantageous, as well to the East India Company as to the private merchant. If the Company should abstain from an undue exertion of her political power, and acquire advantages over the private trader—and if the merchant should abstain from captious complaint and unfounded representation, he did not hesitate to believe that their success would be more than commensurate with the hopes of the most sanguine; every thing would go to the advantage and prosperity of all engaged in the extensive field of commerce which would be opened. There was a third party who, he thought, would be equally benefited by this change, he meant the natives of India—for whose welfare and happiness he was most anxious. It was with serious regret that he viewed the various publications which had been issued respecting these individuals, against whom the most infamous and unfounded insinuations and libels had been circulated. What, he would ask, would be the natural consequence of impressions arising from such insinuations? If the natives of India were represented as a race of beings devoid of all truth and honour—would not those, who, in the new order of things, visited their shores, treat them with contempt and cruelty? The assertions, however, which had been made, from his own personal knowledge, he could distinctly contradict; and he should endeavour to remove the effects which seemed to have been created by them on the mind of one hon. member (Mr. Wilberforce), whose benevolence and kindness of heart, he was satisfied, would lead him to feel infinite delight at hearing calumnies of so foul and so cruel a nature, clearly and positively refuted. The publications which were most conspicuously violent against the Hindoos, were those of Dr. Buchannan, and some that had come from the missionary press, which were replete with the most virulent statements against the morals and virtue of the native Indians; and observed, that they were deficient both in honour, honesty, gratitude, and charity, and that the Hindoo children received no moral instruction whatever. The hon. gentleman then referred to some extracts from the books to which he had alluded; and, amongst others, to one called The Rise of Wisdom, which was not less unfounded in its statement than the former. To prove the want of truth in those representations, he first referred to a letter which was addressed to one of the sultans, some years back, by a Hindoo, praising, in the most energetic language, the liberal policy which had characterised his reign; and tracing the blessings with which it had been crowned to his paternal regard for all his subjects, whether Hindoos or Mahometans. Let the House compare the principles contained in this letter with the allegations to be found in The Rise of Wisdom, and judge how far the latter was to be credited. Far different was our book of wisdom, which, as the Apostle said, "was full of gentleness, and easy to be entreated." To do justice to the Company's government they had always acted on this enlightened and liberal system, till of late years, a different system had crept in, which, if they had not sanctioned, they had, at all events, permitted. God forbid that it should be sanctioned by them; for it was directly contrary to the faith pledged by us to the inhabitants, who were taught to believe that they should be permitted, without molestation, to pursue their own religion under our government. To this toleration we owe it, as was observed by an ingenious writer, "that the great body of the inhabitants have remained contented beneath the Company's sway. The brahmins have not come from their silent retreats—they have not mixed in the tumults of the state—they have not directed the torch of religion to the destruction of our establishments." He would have dismissed these attacks on the character of the natives of India, with contempt, he would have abstained from all quotations in their favour, if the hon. gentleman (Mr. Wilberforce) had not spoken so much of their vices, and so little of their virtues; instead of ascribing the former to the nature of the people, he ought to have attributed them, as was mainly the fact, to the errors of the government under which they lived. Every man must know the scene of oppression and cruelty, which, for the last 300 years, India had displayed. So far as the Company could remove these abuses, they had never relaxed their efforts; but extensive alterations, especially when the morals of a people were concerned, could not be very speedily effected. It was asserted that the literature of India was destitute of morality—he had never found it so; on the contrary, the books which he read in that country were perhaps too much taken up with lessons of morality. Moral sentences intervened so often, even in their books of amusement, that the thread of the narrative was destroyed by them. He would, on this particular point, trouble the House with a few short extracts from a Hindoo work, familiar to every person in India, the morality of which could not be too highly approved. The hon. gentleman here introduced several extracts, under the heads of Truth, Charity, Mercy, Religion, and Hospitality; they were as remarkable for the purity of the doctrine sought to be enforced, as for the beautiful, but simple style, in which they were written. With respect to the charge made against the Hindoos, of the infidelity of the sexes towards each other, he believed their moral sentiments with respect to the conduct of women, were as good as ours, and their general practice, better. On this subject the book which he had just quoted, said—"The beauty of a wife is constancy to her husband. It is better to perish than to seduce the wife of another." On the crime of stealing, it observed, "Shall I nourish myself with the fruits of another? It is better to beg my bread, than to exist by dishonesty." The observation on murder, breathed the utmost detestation of that crime. That division of the book which spoke of the effects of oppression, afforded many sentences which might be considered as correctly accounting for many of the vices which were attributed to the people of India. The first sentence was, "When laws are ill enforced, where are good morals to be found?" The hon. gentleman next read a Hindoo prayer, which breathed throughout the most fervent spirit of devotion to the Deity. It was impossible for any man to behold the brahmins repeat that prayer, without feeling his mind greatly affected by it. He had often witnessed their religious worship, but he could not perceive in it those traces of cruelty and superstition, of which some gentlemen had spoken; it appeared to him to be replete with devotion to God, and benevolence to man. He then read an extract from a work of a modern date, the author of which observed, that "he could not view this people, as they were viewed by many. He looked upon them as the descendants of ancestors, who had attained a high degree of proficiency in the sciences, before a spark of learning was kindled in these countries. The sultan Achmet treated the brahmins with particular kindness—and his vizier spoke of them as possessing a fine moral character, and being greatly refined by education." The hon. gentleman next introduced a variety of extracts from the work of Mr. Orme, in which the character of the Gentoos is placed in the most amiable light. From this gentleman's statements, it appeared that the third part of every Gentoo's wealth was laid out in charitable purposes—providing buildings for religious purposes—forming ponds for the labourers—and providing daily victuals for the poor. "Nothing," said Mr. Orme, "was wanting for the happiness of this nation, except that others should have looked upon them with the same indifference, as they regarded that which did not belong to them." And he concluded by stating, what bore out the argument which he (Mr. Lushington) had before advanced, that "their vices are the fault of their government, not of their religion. If we were placed in the same situation, I doubt, whether we should be better. The sons of liberty may here see the baneful effects of a despotic government; the mind debased by ignorance, the body tortured unnecessarily. When they compare their situation with that which I have described, it will render their happiness so much the greater." As the hon. gentleman (Mr. Wilberforce) had alluded to certain inhabitants of the district of Tellicherry having been converted to the Christian faith, and, from this result, justified the hope of greater success, he thought it necessary to advert to that subject, as he resided in the district at the time. Mr. Lushington here read a long narrative of the circumstances which had taken place at Tellicherry—from which, it appeared, that a missionary, named Jellicoe, had received permission to attempt the conversion of the natives, in that district, and succeeded in several instances. The consequence was, that continual disputes arose, between those who had adopted the Christian religion, and those who had adhered to their own. The former, who had been of the lowest castes, conducting themselves disrespectfully to those who were of the highest. These disputes continued after he (Mr. Lushington) had quitted the country; but, he had learned, that, when Mr. Jellicoe departed, the converts, to a man, forsook their new faith, and went back to the religion which they had for a time forsaken.—He should now conclude, requesting the particular attention of the House to the opinion of sir William Jones, on this important subject:—"We may assure ourselves, that neither Mussulman or Hindoo will be converted by any missionary from the church of Rome, or any other church; and the only way to attain the great object of conversion would be, to translate into Sanscrit and Hindoostannee, select passages from those parts of the Scripture, particularly from Isaiah, which are truly evangelical; and also those prophecies respecting the East, which have been fulfilled. These should be dispersed among the well-educated Hindoos: and, if such an appeal have no effect, we can only lament the strength of that prejudice which prevents men from pursuing their most vital interests."

Mr. *W. Smith* complained that the hon. gentleman who had just sat down, in alluding to the authorities on which his hon. friend (Mr. Wilberforce) had founded his arguments, had introduced the name of Dr. Buchanan. This was a misrepresentation. His hon. friend, from the beginning to the end of his eloquent speech, had not mentioned the work published by that gentleman. The hon. gentleman was also guilty of a mis-representation, when he supposed that those who supported the missionary system, would tolerate force, in procuring proselytes. (Cries of No, no!) He knew the hon. gentleman did not so express himself; but, when he besought them not to use violence, the inference was, that he supposed they would resort to it, otherwise his observation was useless. The House, he thought, was placed in a kind of dilemma; gentlemen of equal respectability and knowledge had given evidence on each side of the question. How, then, were they to act, when the balance was thus equal? In his opinion, if, in such a case, the precepts of the Scripture leaned to either side, there was a decided preponderance on that side which was thus supported, and it ought to be upheld. All that he heard with respect to the natives of India, he received with many grains of allowance; for every gentleman spoke with a free disposition to render one side or other of the question triumphant. And when gentlemen stated things as facts, of which they were not eye-witnesses, as had been the case with the hon. gentleman who spoke last, he received them with some suspicion. On this subject the letter of Mr. Schwartz, which was on the table of the House, contained a passage, the justice of which must strike every person who read it. It was there stated, that reports in India "were hazarded on a very slight foundation;" so that if the accounts of the missionaries were not to be believed, those of their enemies were not an iota more worthy of credence. For his own part, he thought the weight of authority rested with those who stamped a certain degree of moral turpitude on the Hindoos. He considered Mr. Pope's description of superstition as being exactly applicable to them:—

"Fear makes their devils, and weak hope their gods,
Gods, partial, changeful, passionate, unjust,
Whose attributes are rage, revenge, and lust!"

This was the exact character of the Hindoo religion, and for the truth of the assertion, he would refer to their own sacred books. With respect to their women, they were treated as slaves—they were treated in that manner which their law and their religion enjoined. To prove the general contempt in which women were held, he would read an extract from The Institutions of Menu, a sacred work of the Hindoos. "Women," said Menu, "have six qualities—1st, An inordinate desire for finery—2nd, Immoderate lust—3d, Violent anger—4th, Deep and dark resentment—5th, Malignant envy—and 6th, (as a most inadequate corollary from those premises) Irregular and vicious conduct." He begged leave to contrast this character of women, with that sweet state of domestic society with which the hon. gentleman had favoured the House. Now Christianity appeared to him as the great sanction of a pure system of morals, which he thought, ought to be extended to the inhabitants of Hindostan. If he did not believe one iota of the divine origin of that religion, yet, as a philosopher, he should admire it, for the pure principles of morality which it inculcated; and he should be anxious to introduce it among the Hindoos, for the purpose of driving from the shores of India that cruel and bloody superstition, which at present disgraced them. It was no argument to say, because Christianity had not always produced this effect, that it should no longer be disseminated; or that, because all Christians were not better than all Hindoos, that, therefore, the religion of the latter was preferable. The hon. gentleman had read to them a prayer translated from the Hindoo language, in which a knowledge of the Deity was most clearly expressed. But, let any gentleman look to Homer, or any other of the Greek poets, and they would find expressions of the same description. But, were the characters of the common people formed on this model? By no means. Their characters were rather influenced by the subordinate deities; they paid more attention to Bacchus and Mars, than to any abstract idea of a first cause, which might be discovered in the writings of their poets. Socrates, in eloquent language, had argued on the existence of a supreme Being—but it could not be said, that his reasoning had influenced the people of Athens. With respect to the rights of the Hindoos, he would ask, if the people committed the greatest crime, and afterwards, by ablution in the Ganges, or any other river, by muttering a number of foolish words, or performing a few ridiculous ceremonies, imagined that they were freed from the sin, could any other effect be produced, than to entice men to perpetrate crimes, when he could so clearly expiate them? And, if they found a caste, who were permitted, with impunity, to practise every species of vice, was it not self-evident that such a power would be abused? Yet this was the situation in which the brahmins were placed, as they learned from every person who travelled in the East. If this was true, what was the remedy? It was not force; it was to be found by introducing amongst them a pure and holy morality. With respect to the flattering picture which the hon. gentleman had given of domestic affection in India, how did it agree with the marriage of an individual with one, sometimes with thirty wives, every one of whom, he was perfectly aware, must, at his decease, perish by excruciating torments, or else live in a state of contempt and degradation? The hon. gentleman then related the story of a woman who had been placed on the funeral pile, but who, during a dark and stormy night, had been enabled to disengage herself from the corse of her husband, and had taken shelter in a neighbouring thicket, from whence she had been dragged by her own son, who declared that if she did not die he would. He could not prevail on her to hang or drown herself, and assisted by the ministers of religion he thrust her on the pile from which she had escaped, where she ended her life in the most miserable manner. The hon. gentlemen who opposed him had better deny these facts, which tended to expose the system which they were inclined to uphold, than admit them, and endeavour to argue upon such data. The hon. gentleman then compared the Christian religion with that of the Hindoos, and said, that it was not a religion which forbad the killing of a cow, but suffered the sacrificing of a woman; it did not prevent the cow when killed, from becoming human food, although it prevented cruelty being used towards it when alive. He believed the Christian religion to be of divine origin, but in mere morality and humanity it so far surpassed any thing to be found in the religion of the orientals, that its propagation must be attended with the happiest effects. He contended not for the employment of force: all he asked was, that Christianity should not be hid—merely that it should not be prevented from taking root in a soil calculated for its reception: and while the advocates of the Christian missions went no farther, he trusted they would neither be called hypocrites, nor be left without the support of a majority of the legislature.

Mr. *Tierney* said, he would be as brief as he possibly could, for he feared that he had already trespassed too much on the indulgence of the House. He should not, however, take up the time of the House at the present moment in answering those who had recently spoken, for he did not conceive that they had been too tenacious of confining themselves to the question really before the House. They had come to the resolution, at least the ministers had, that the present system of the Company must be done away, and that a new one must be established; but he would say, however unpopular the idea might be, that the system which they were about to pull down was the best that could be devised. This was his settled opinion, create whatever unpopularity the expression of it might, and he must lament that ever any set of men, for any purposes whatever, could think of doing it away. The government of India as carried on heretofore, through the medium of the Company and the Board of Controul, was the best, he believed, that human wisdom could devise. He did not say it was perfect, no man pretended to say that it ever had been; but it approached as near to perfection as any one had a right to expect that human institutions could. But this system was to be abolished. He feared that he should live to see the day when he should have greater reason to lament its downfall than he had at the present moment. Abolished, however, must be that system, to answer, he supposed, the views of our ministers; and the House were called upon to devise a system to be established in its stead. But the ministers had not left them to the creations of their own minds—they had generously marked out one for them; and so excellent was that system, so founded on the results of experience, on the wisdom that had been collected in the progress of ages, that now, for the first time within the last 200 years, were they called upon to grant a charter to the East India Company without continuing to the Company the exclusive trade of India. But the trade was to be thrown open—the Company were to trade to India, to use the language of the Bill in his hand, " in common" with the rest of his Majesty's subjects, and yet part of that trade was to be shut against all his Majesty's subjects except those forming the Company! He would have it understood, however, that he did not profess to comprehend very clearly this proposed method of shutting a part and opening a part, while that part which was to be opened to all his Majesty's subjects " in common" with the Company, might be shut against all those who might happen to be obnoxious to the minister for the time being through the medium of the Board of Controul, as it was to have the power of refusing or granting licences to vessels whether agreeable to the Company or not. Then, this Bill was to add to the influence of the government, for what else could be its objects, if it contained such powers? He would go through the Bill, as he had many observations to make on its different clauses; but as he could scarcely hope to make any impression on the noble lord, as he, it was to be be feared, was " too far gone" with his friends at the outports, he (Mr. T.) would not trespass too much on the House in going through what might now be considered dull detail. He, however owed it to himself to perform this part of his duty, while he felt constrained to thank the House for the short indulgence which it seemed inclined to extend towards him. The Bill set out with stating that the government of India was to remain in the hands of the Company as heretofore; and yet in spite of this declation the Board of Controul glimmered with but too strong a light throughout every part of the measure. Then this was a mere pretext—a specious delusive mockery—but, said the Bill, the government of India was to be with the Company.—They were then told that the Company was to be very much favoured—that they, forsooth, were to be allowed to trade to India " in common"—in common!—with the rest of his Majesty's subjects; but the House might soon see what benefits the Company were to have " in common" with the rest of his Majesty's subjects. But the trade was to be a free trade—it was to be opened to the people

" in common," and then came, the clause confining it to some favoured ports. This was free trade—this was opening the commerce of India to the people " in common!" But then it was said by those who were against opening the trade, that if it were opened how was smuggling to be prevented? The government however had no fear of smuggling. If that really were the case—if they thought in the fulness of their wisdom that they could prevent smuggling altogether, why was not every port in the United Kingdom to be made eligible to partake in this free trade? Was the extension meant to be considered, so far as the places named were concerned, a boon from the minister to particular and favourite ports? Each port returned two members—did the minister think that he should find his account in giving them a share in the India trade? That the extension was meant with the view of creating influence and patronage, he had little doubt; but he thought the minister would be deceived in his hopes and calculations. After the ports, however, had been named, then came another arrangement, which again displayed the Board of Controul in the question, what kind of ships should be allowed to proceed to India? In the first place, application to the Company was to be made for licenses; and they might refuse, but not without stating their reasons, and those were to be submitted to the Board of Controul. He must repeat, here again appeared the Board of Controul, which showed itself in every part of the Bill, and which would ultimately accomplish the downfall of the Company; for notwithstanding the Company might refuse to license a vessel, the Board of Controul might give her permission. But while they were talking of free trade, what was the House to be told of licenses; and if the Board of Controul were to have the real power of licensing, who could doubt that he would be most successful in obtaining licenses who had the most parliamentary influence at his back? The security from smuggling was to be the manifest; but what that manifest was to be, or how regulated, it was hereafter to be determined. Now what sort of Bill was this that they were passing? He disliked the projected mode of interfering with the usual form of the Company's sales. The alteration must tend to break down that on which the Company mainly relied, namely, their sales in this country; for if the private merchant were to have an advantage over the Company in their sales, how could the Company hope to stand? Then again came the licensing of individuals to go to India; and never was mortal placed in such a predicament as he might be by this act of parliament. The Company might refuse to license him, and yet the Board of Controul might send the individual to India! Then the government there might, or might not object to him; and if he were objected to, it might gazette him for months as a dangerous character! These things, like the free and open trade that was so much talked of and found no where but in some gentlemen's speeches, were mere mockeries. As to the Company's territorial engagements, which at a round sum might be called three or four millions, if the alterations should prevent the Company from meeting those engagements, then they were to have assistance from parliament, provided the Company could show the Board of Controul—the Board of Controul again! that it was not the fault of the Company that they were so prevented. Here came the discretion—and where was the discretion to be placed? It was to be placed in the Board, where all the power and influence was to be centered, that power and influence which would work the downfall of the Company. He was anxious to repeat this opinion, for it was his firm conviction that such would be the case; and he only lamented that others did not behold what they ought to dread so strongly as he did. All this appeared to be a kind of machinery, preparatory to the seizure of the dominions of the East. The noble lord laughed at that; but was there ever any proposition so extravagant as that of giving the Company a charter for twenty years, without knowing whether they would be able to manage the government under their new regulations?—He now came to the consideration of the clause for the appointment of an archbishop, who was never to apply himself to trade. Why? What was he to employ himself about? An arduous task—the jurisdiction from the Cape of Good Hope to remote Cape Horn. It would have been well had any explanation been given concerning what the archbishop was to busy himself about. He had no concern with morals and religion, these were confided in a separate clause to the missionaries. It appeared to him a gross job, the object of which was church patronage in India. The directors, he apprehended, would not be justified in accepting the charter, unless they could satisfactorily show that the Company would be able to fulfil all its engagements. He saw with the deepest concern this mode of legislating, which in a few years would inevitably lead to the Company's bankruptcy, and the consequent assumption of their lost power by the government.

Lord *Castlereagh* declared that he had never heard a speech of less solid argument, nor one less likely to prevent the House from coming to a determination, than that just delivered by the right hon. gentleman. He seemed to be anxious that the eloquence which he expended in vain on parliament should not be lost elsewhere; but, for his own part, he hoped the proprietors understood true policy better than to refuse such a charter. Did the right hon. gentleman think that the prosperity or downfall of India depended on the extension of the imports to the outports? As the right hon. gentleman seemed anxious to apply his arguments to practical purposes rather than to make an impression upon principles, he would gratify him by moving that the House do now resolve itself into a Committee on the Bill.

Mr. *R. Thornton* complimented the liberality with which the right hon. gentleman (Mr. Tierney,) had come forward in defence of the East India Company, but denied that the responsibility would rest upon the Court of Directors, if they accepted the charter, for he contended that the responsibility was with parliament. The Company had formerly been a joint stock company; they were now to become a government company, and he hoped in God they would not end in a bankrupt company.

Mr. *Marryat* contended strongly, that the Bill ought to have contained a clause similar to one of the Resolutions submitted to that House, for withholding from India-built ships, the privileges intended to be conferred upon British ships. He maintained that such a provision was of vital importance.

Mr. *C. Grant*, jun. defended the conduct of the East India Company in respect to the management of their territorial revenues, and contended that by the proposed system the greatest dangers would result to the interests of the Company by the establishment of Europeans in India.

After Mr. Fawcett had said a few words, the House went into a committee, and on the motion of lord Castlereagh, the Bill passed the Committee *pro forma*. The Report was received and ordered to be taken into further consideration on Thursday.

HOUSE OF LORDS.

Tuesday, June 29.

VOTE OF CREDIT.] On the order of the day for the consideration of the Prince Regent's Message,

The Earl of *Liverpool* said he did not think it necessary to take up the time of the House by going at any length into this subject. Whatever difference of opinion there might be as to the present state of affairs in Europe, or as to the system of policy that had been adopted, all must agree in the necessity of enabling the government to take advantage of any circumstances that might arise during the recess of parliament. The sum was undoubtedly considerable, but when it was considered that we were now carrying on operations on a most extensive scale in the south of Europe, in the peninsula, and when the present situation of affairs in the north of Europe was also considered, the sum would not appear more than sufficient. His lordship concluded by moving an Address to the Prince Regent, concurring in the object of his Royal Highness's Message.

Lord *Holland* declined, at the present moment, and on so short a notice, entering into the complicated details which the present situation of Europe involved, but he felt he should not discharge his duty if he did not state (and that opinion he meant to record) that a great opportunity had presented itself to ministers, either of effecting a permanent peace, or of proving the rejection by the enemy of fair and honorable terms, which would have prevented him from making the exertions he had made to renew the war, and which opportunity they had lost. This opportunity presented itself at the termination of the last campaign, and they had no information whatever of any effort having been made, either for the attainment of peace, or in the failure of effecting that upon fair and honourable terms, for a vigorous prosecution of the war. Had propositions been offered, such as were consistent with the honor and character of the country, at the time of the return of the emperor of the French to Paris, from his disastrous campaign in Russia, could there be a doubt that either peace must have been the result, or that it would have been rendered manifest to the people of France, that the war only continued in consequence of the ambitious projects of their emperor; and must not this conviction have prevented him from making those astonishing exertions he had made in the present campaign? Instead of this we had acted as recruiting serjeants to the emperor of the French, and had contributed by the absence of that frank and manly policy to swell his ranks. His lordship concluded by moving an Amendment, stating the desire of the House, that no opportunity might be omitted which might afford an opening to a secure and honorable peace.

The Earl of *Liverpool* spoke shortly in reply. The noble lord had fairly stated the ground of his amendment to be, the distrust which he entertained of his Majesty's government, and his belief that peace might have been obtained, had it been attempted by ministers; but in opposition to this opinion, there was better authority than that of the noble lord, and that was the authority of the ruler of France, who after his flight from Moscow and return to Paris, now had declared in one of his papers the terms on which he would treat: and he would leave it to the House to judge, whether it would have been consistent with the honor and the interest of this country to have accepted of them. But whatever opinion might be held of the practicability of peace, sure he was, that nothing was more likely to defeat that object than the adoption of the noble lord's Amendment.

The Earl of *Lauderdale* said he perfectly agreed with his noble friend, not only as to the propriety of his Amendment, but in every sentiment he had uttered. On these grounds the noble earl made a variety of observations. He felt that the executive government of this country not coming forward in the way contemplated by his noble friend, enabled the ruler of France to make those great and successful exertions for a more vigorous prosecution of hostilities: and he thought the noble earl opposite, from the view he took of it, must have misconceived the nature and effect of his noble friend's Amendment.

Lord *Holland* wished to observe, that he did not know to what particular paper of Buonaparté's the noble earl had alluded; but if such arrogant and unreasonable demands, as had been represented, were really contained in it, he should ascribe them to a very different source; namely, a wish on the part of the ruler of France to deter the allies from transmitting overtures, which by their moderation, would, if rejected, have placed him clearly in the wrong, in the eyes of his own people. Had moderate proposals been sent, either this would have been their issue, or in consequence of their acceptance, the House would not now have been called upon to vote away millions of the subjects' money, who, on the contrary, would have been enjoying the blessings of peace. He would allow that it might prove inconvenient to send over a negociator fettered by a parliamentary declaration on the subject of peace; but as ministers had neglected every opportunity since the commencement of the session, though during all that period not a syllable had been said that could embarrass their proceedings, on that momentous topic, he thought it too much that they should now call for farther confidence:—*prima facie*, at least, there seemed a disinclination on their part to negociate, which would authorise the House to interfere. All that was known of the operations of ministers, in this campaign, was their adherence to a measure of spoliation and robbery, and an attempt to establish a new great power in the North, the policy of which was extremely questionable; yet they called upon parliament, not only to continue its confidence, but to vote them five millions more of the people's money.

The Amendment was then put and negatived without a division: after which the original question was carried.

Protest against the Rejection of the Amendment to the Address for a Vote of Credit.] The following Protest was entered on the Journals:

"Dissentient'

"First, Because the Amendment, if adopted, would have left his Majesty's government unfettered by any opinion of this House as to the time, the terms, or the mode of treating for peace.

"Secondly, Because, in our present state of imperfect information, a humble but firm representation of our hopes, that no opportunity for negociation might be improvidently neglected, appeared both prudent and necessary, when we were called upon to extend our confidence to persons, who, during a period of unexpected success, had given no public proofs of a disposition to restore the invaluable blessing of peace.

"The disastrous retreat of the French armies from Russia last winter seemed to afford an opportunity of negociating with dignity and success, and no overture made to the emperor of France at that period has been communicated to parliament, nor any reason publicly alleged for not resorting to such a measure. It would then have been easy to devise, and honourable to propose such conditions of peace, as, without humiliating the pride, or interfering with the internal government of France, would, if acceded to, have secured the independence of all powers directly or indirectly allied with his Majesty, and would, if rejected, have exposed to the indignation of Europe the unjust pretensions of the enemy. Prudence and magnanimity concur in recommending moderation in the hour of success, and the truth of this maxim is painfully proved in the present melancholy consequences of an opposite system of conduct. The omission of all public overtures for peace, and of all distinct declarations of the object of the war, has obviously enabled our enemy to recruit his armies, to animate his people, and to retrieve his affairs, by imputing to Great Britain and her allies designs which it was convenient to his purposes to suppose, but which it was the interest and duty of his Majesty's government, by the most public and unequivocal acts, to disclaim. HOLLAND.

LAUDERDALE."

HOUSE OF COMMONS.

Tuesday, June 29.

VICTUALLERS' BILL.] Mr. Rose moved the order of the day for the third reading of the Bill.

Mr. *Croker*, after a few observations of the same tendency as he urged against the report being received last night, moved that the Bill be read a third time this day three months.

Mr. *Rose* said, that if this Bill should be thrown out, it would be impossible for the public to receive their beer in a less quantity than one gallon. He should, however, if that was the case, move to-morrow for leave to bring in a Bill to amend the Act of Geo. 1, in that respect; but he hoped the House would save him the trouble, by passing the present Bill.

Mr. *Croker* said, he hoped the House would put an end to this question, by throwing out the present Bill, which was nothing but a squabble about pewter pots. The publicans wished to throw the expence of these from their own shoulders on those of the lower orders of the people, who, from long habits, had obtained a relish for their humble beverage in pewter vessels; and he saw no reason why the House should interfere to prevent them from enjoying what they deemed a considerable comfort. He had also another objection, which was, that if this Bill passed, it would tend to drive the lower classes into tipling-houses; for if they could not drink their favourite liquor out of pewter at their own homes, they would, of course, be driven to seek for it, where alone they could find it, in the public houses.

Mr. *Rose* thought the passing of the Bill would have the direct contrary effect from that stated by his hon. friend, of driving the lower classes into tipling-houses. He hoped, therefore, the present Bill would pass, as the Act of Geo. 1, to prevent publicans from sending out porter in less quantity than a gallon, was in full force; and if this Bill were rejected, the publicans were determined to enforce that Act. It was as much for the interests of the lower classes of the people, as for those of the publicans, that he wished this Bill to pass.

Mr. *Whitbread* said, the wish of the publicans was not to be obliged to send out their porter in pewter pots; they were willing to send it out in pots made of block tin, which was equally clean and neat in their appearance, as he had shewn by specimens which he had last session produced to the committee of the House.

Mr. *Peel* objected to the Bill as an object of legislation, *de minimis*, which parliament ought not to enter upon. He thought the House should shew their disapprobation of it in a marked manner, by at once rejecting the Bill, which would otherwise be brought in from session to session, to the great waste of the time of the House. Besides, if it were really the fact, that the public preferred drinking their porter out of pewter pots, he could not conceive on what grounds the House should interfere to prevent them from doing so.

Mr. *Marryat* objected to the Bill, as legislating in matters of taste; and he could see no good reason for so doing.

Mr. *W. Smith* spoke in favour of the Bill, as tending to promote the morals of the younger part of the people, great numbers of whom were tempted to steal those pewter pots; and if that temptation were taken away, it would in his opinion be productive of considerable good.

Mr. *Goldbourn* was against the Bill, as being, in his opinion, unworthy the serious attention of the House.

A division then took place. For Mr. Croker's Amendment 35; Against it 32. So that the Bill was lost by a majority of 3.

LOCAL TOKENS BILL.] On the motion for the third reading of this Bill,

Mr. *Grenfell* rose to offer some observations on the copper local tokens. He said these had been productive of much inconvenience in many parts of the country, which was in great measure owing to the wretched state of the copper coinage of the country. Many tradesmen were obliged to take the bad halfpence, and not being able afterwards to pass them, were compelled to sell them as base metal at 8*d.* per lb. Sixteen of the good penny pieces weighed a pound, and it took 73 of these halfpence, so that their loss was the difference between 16 and 73. He thought however, he could propose a remedy that was practicable, easy, immediate, and effectual. This was the entire suppression of the local copper tokens, and to stop the circulation of what were called old Tower halfpence, which were a constant source of temptation to counterfeit that species of coin. He hoped the government would take the subject seriously into consideration, in preference to his doing so; but if they did not do it early in the next session, he certainly would.

The *Chancellor of the Exchequer* said, the evil mentioned by the hon. gentleman had already attracted the attention of government, and was now under consideration. Inquiries had already been made, but it was not yet determined how to proceed.

The Bill was then read a third time and passed.

ASSIZE OF BREAD BILL.] On the motion for taking into further consideration the report on this Bill,

Mr. *W. Smith* said he thought it very wrong, that a Bill of this importance, which considerably affected the lower classes of the people, and interfered with the duty of the magistrates throughout the country, should be attempted to be passed at this late period of the session. He was by no means of opinion that the Bill should never pass; but he thought it should be printed, with the tables annexed, and circulated through the country during the recess of parliament, so that all descriptions of persons might be able to form a due opinion of it. This would only defer the measure a few months, and then it might be made to answer the ends proposed. He therefore, moved as an amendment, "That the report be further considered this day three months."

Mr. *Huskisson* differed with the hon gentleman who had just sat down. The question was, whether the law, as it now stood, did not subject the baker to sell his bread without a fair remuneration? If this was the case, and the act of parliament on which it rested had been in force fifty years without any alteration, he thought the House ought to interfere for the purpose of ameliorating the condition of the bakers, in doing which they would only be shewing a due consideration to a very respectable and valuable body of men. He, therefore, opposed the amendment.

Mr. *F. Lewes* contended that the measure had been fully discussed in the committee to whom the petitions of the country bakers had been referred. All the country bakers did not petition for the Bill, but those only where the allowance made to them was inadequate.

The Report was agreed to, and the Bill ordered to be read a third time on Thursday.

MOTION RESPECTING THE IMPORTATION OF COTTON WOOL.] Mr. Alderman *Atkins*, in rising to bring forward his motion on this subject, said, he had flattered himself, that, previous to this time, his Majesty's ministers would have done something on this measure. He supposed, however, they had delayed doing so to afford an opportunity to the House to declare its sense on the subject. The object of his motion now would be to prevent the importation of American cotton during the continuance of the war. To induce the House to adopt such a measure, he was persuaded it would only be necessary for him to advert to the petitions which had been presented to the House on the subject. He had himself, on a former night, presented a petition, signed by upwards of 250 most respectable merchants, importers of cotton, stating, that notwithstanding the war, large quantities of American cotton were imported into this country, direct from the United

States, and notwithstanding our having at present a sufficient supply on our hands, received from the Brazils and from our own colonies. It would, perhaps, be said, that the blockade of the American ports would prevent the future import of American cotton. He was, however, prepared to prove, that large quantities had found their way into this country, notwithstanding that blockade; and he now called on the House to adopt such a measure as should in future prevent the enemy from deriving resources from thus disposing of their staple commodity, and to encourage our own colonies and allies, by taking the cotton which we wanted for our consumption from them; it would be, he contended, particularly desirable to encourage the growth of cotton in India, which, he was convinced, if properly fostered, would furnish a supply fully adequate to our wants. The House would, perhaps, be surprised when he stated to them, that there were at present in the Company's warehouses upwards of 26,000,000lbs. of cotton unsold, and that upwards of 20,000,000lbs. had been sold besides to manufacturers. He then adverted to several other petitions, and particularly to one from the cotton-spinners of Paisley, in which the petitioners prayed the House to prevent the importation of American cotton during the war, on the grounds of the impolicy of receiving from them the raw material, whilst they refused admission to our manufactured goods: since, if they refused to take manufactured goods, they must be paid in specie, and we were thus supplying them with the sinews of war: whilst, on the contrary, the Brazils took our manufactured goods in return for the raw material taken from them. All these reasons, the honourable alderman observed would, he hoped, induce the House to adopt the measure which he would conclude with recommending. It might be said, by excluding the American cotton, we should risk having a sufficient supply for our necessities. In his opinion, there was no room for such apprehensions. The consumption in our manufactures was about 75,000,000lbs. annually, or about 1,500,000lbs. per week. Now we had at present on hand upwards of 86,000,000lbs. we could, in six months, receive a supply of 40,000,000lbs. from the Brazils, and in the same period, our own colonies would produce us 20,000,000lbs. to which might be added casual supplies; and we might thus look forward to a supply, as at present on hand, for two years. The hon. alderman then adverted, also, to the petition from the manufacturers and merchants of the city of London, which was well entitled to the consideration of the House,—which stated, that they had cotton sufficient for a year's consumption, that they could promise a sufficient quantity for the use of our manufactures, and hoped for the protection of the House. He then took notice of the resolution of the merchants of Glasgow, which stated, that the importation of American cotton amounted to the sum of a million and a half, which, if allowed to take place, while they refused to admit our manufactures, would be enabling them to carry on the war against us with the specie sent from this country, while they were distressing us to the utmost of their power by their non-importation of our manufactures. He read a copy of a letter from a very considerable manufacturer in Lancashire, which stated that the Bourbon cotton was capable of being used to great advantage in our manufactures; that if encouragement were given to the cotton of our own islands, we might very soon hope to carry on our manufactures without the use of American cotton at all; that he had of late lessened the quantity very materially, and now did not use more than 400lbs. of American cotton per week. The hon. alderman said, that in order to remedy the evils and disadvantages which he had enumerated, he should first move, "That the Act 43 Geo. 3, c. 153, to permit during the continuance of hostilities, and until six months after the ratification of a definitive treaty of peace, the importation into Great Britain and Ireland, in neutral vessels, from states in amity with his Majesty, of certain goods, wares, and merchandize; and to empower his Majesty, by order in council, to prohibit the exportation of copper, and to permit the importation in neutral vessels from states not in amity with his Majesty, of certain goods, wares, and merchandize," might be read; and secondly, "That this House will resolve itself into a committee of the whole House, to consider of so much of the said Act as relates to the importing of cotton wool in neutral ships."

Mr. *Finlay* expressed his earnest hope, that before the House should agree to the motion, they would go into the examination of the evidence necessary to establish the truth of the positions advanced by the worthy alderman. He did not wish to give any opposition to the proposed measure but that alone which might appear to be founded in experience and facts, and he was convinced that the absurdity of the proposition would be clearly and satisfactorily established by any inquiry adequate to the importance of the subject. An allusion had been made to the article of indigo, but although a competition existed between the indigo of America and the East Indies, and the superiority of the latter was admitted, no interference was deemed necessary by the legislature for its peculiar protection. The cotton imported from America, when compared with other importations, appeared to stand in a similar situation. The hon. alderman had stated, that he had petitions from the spinners and manufacturers of Paisley, but he had himself presented petitions from the spinners and manufacturers of Paisley against the measure. When an argument was drawn from the high price of cotton in favour of the motion, it should in fairness be recollected, that during the existence of the high price, our manufacturers had been enabled to supply the continent. He did not, however, he begged to have it understood, contend against the high price, but against the inequality of prices, which occasioned considerable inconvenience and injury. The hon. alderman talked of making the requisite payments in specie, but the idea was not conformable to fact, and the actual state of things, for we had no way of paying but by the sale of our manufactures. He felt himself justified in maintaining, that no obstacle should be raised, no impediment thrown in the way of obtaining the raw material for ourselves. It was in his mind the best mode of providing for the industry of the nation, and the wants of our numerous manufacturers. The principle upon which the blockade of the continent had been framed and was continued, could by no argument or ingenuity be tortured into a reason why we should deprive ourselves of the power of benefiting our own manufactures and trade. If the question were maturely considered, it would appear that we were bound to encourage the importation of American cotton. Upon the consumption of it vast numbers were dependent for employment and subsistence; and he would ask, was it not worth the serious inquiry of the House to ascertain the means by which so great and industrious a population could exist until new means for supplying the raw material were provided? He concluded by imploring the House not rashly to adopt the motion before them, but to proceed to its consideration with all the knowledge which might be obtained from the examination of evidence, and the statement of facts.

Mr. *George Ellis* said, that in discussing the merits of the measure, the state of our own colonies, their privations and distresses, ought not to escape the attention of the House. They were obliged to send into the ports of this country a very considerable part of their products, and the return they expected and received, was protection and security. They were deprived of their choice of markets by this system, and therefore they were deprived of the means enjoyed by all thriving settlements, of deriving any profits from increased and improved cultivation. It was well known, that they had been severely distressed, and it was also well known, that they depended upon the continuance of trade with America. When they applied for relief by the opening of some other channels of trade, they were told it was impossible, and that with respect to America, no relaxation of the system of policy adopted by the British government could be allowed. They had consequently suffered in a material degree. He certainly did not complain of the system of policy pursued by our government, with regard to America, but he had to complain of the partial relaxation of that system. No doubt could exist of the fact, that at this time we were in possession of a great abundance of the raw material. The only question was that of price; and from the statements made by the worthy alderman, it appeared, that the lowest price did not force a sale. If the government were sincere in their desire to shut up the ports of America, and if it was obvious that our blockade of the American coast was not effectual, we evidently had in the measure proposed to the House an auxiliary, which, he thought ministers, to be consistent with their own plans and declarations, were bound to support. He should, therefore, give the motion his cordial assent.

Mr. *Marryat* maintained, that the present supply of cotton was very considerable, and that the quantity in hand and on the way home might be fairly calculated sufficient to last for two years. When it was also considered, that it might be raised in almost every one of our own islands, it seemed altogether unaccountable that any apprehensions should be entertained from the adoption of the motion. Economy, he admitted, was a good thing, but to buy up all that presented itself in the market, because the article was cheap, was a principle which could not be borne out, particularly in this country. With respect to the allusions which had been made to the price of cotton, he had to remark, that when cotton was cheap in 1811, Brazilian cotton being then at 14*d.* per lb., and West India at 8*d.*, the general distress of the manufacturers was greater than when the price was high, a vast quantity of our manufactured articles was actually sold to meet the pressing exigencies of the moment at a very great loss, and a grant of seven millions and a half had been made for the temporary relief of the sufferers. He wished that every possible encouragement should be given to the cultivation of cotton in our own colonies, and the reasons were plain and incontrovertible. It required less ground, fewer hands, and was calculated more especially to obviate the effects of the Slave Trade Bill, which, by the inequality of sexes, and other causes, had diminished the number of labourers. One half the number of hands would be adequate to the cultivation of a cotton plantation, and no night work, and less capital, was required in a cotton than a sugar plantation. He was, therefore, most anxious for the extended and improved cultivation of cotton, from a conviction that it would produce an amelioration of the state of the slaves. The policy of America was clear and undeniable, and could be found not only in her positive acts, but in the repeated declarations of Mr. Madison. It was founded on the principle of extracting from this country all its precious metals, and this she attempted to effect by all possible means and pretences. He thought the motion ought to be adopted, as a measure of restriction and retaliation upon America: and if the same line of conduct had been pursued in the beginning of the differences which led to hostilities, it would in all probability have prevented the present war. She had, however, presumed on our indulgence; she had mistaken our character as we had mistaken hers. She had been degraded into the tool of France by a series of injuries, depredations, and insults, which ought to have inspired a different feeling, and excited the true and indignant spirit of national pride, resentment, and honour. We were consequently bound to provide for our own wants by the cultivation and raising of an adequate supply in our own colonies; and thus we should be enabled to prevent those acts of non-importation and non-intercourse which had been directed against the best interests of our trade and commerce.

Mr. *Phillips* was astonished that any hon. member could possibly advance that the high price of the raw material was not connected with the success of the manufacture. He might as well state that high wages were of no importance to it. The American cotton was between 20 and 30 per cent. above the average price of cotton in the market. Was not this alone a sufficient encouragement both for our colonies and Brazil? Our own West India colonies were not sufficient for our supply. What was raised there was too small, and of inferior quality. The American cotton was superior. The consequence of this measure would be to throw the American cotton into the continent, to the great disadvantage of our manufacturers. He was not averse to hostile measures against America; but he was adverse to hostile measures against Great Britain, and he could consider the present measure in no other light. He was convinced that the East Indies had the power of producing sufficient cotton for the supply of this country; but there was no necessity of recurring to artificial means for that purpose. The low rate of wages, and several other causes, gave the East Indies a great advantage over America. It was only necessary to remove the various impediments thrown in the way of the production of cotton in India, which had come to light in the course of the late inquiries, to enable that country to supply us with cotton. It was impossible to expect that our manufactures could continue to be exported, if the manufacturers were prevented from having a superior and a cheaper cotton. An hon. gentleman had said, the stock of cotton in the country was too great to allow of any apprehensions of a want of supply: but though we might have cotton in the country sufficient in quantity for a year, it did not follow that we had cotton to suit every purpose for that time. For instance, 20 million lbs. of cotton, it was said, had been lying for some time in the India Company's warehouses. This was a proof that this cotton was not suitable to our manufactories. He should have hoped, that his Majesty's ministers would have formed some opinion themselves on this question. It seemed as if they wanted to see which party was likely to preponderate, that they might give their influence at last to the strongest.

The *Chancellor of the Exchequer* declared, that he had never been backward in expressing his opinions on this important subject. The manner in which his own propositions had been received, had induced him to pause, and hear the arguments that might be offered. He had seldom witnessed a debate in which opinions were so unsatisfactory on both sides. On one hand, it was contended, that the price of the raw material was of little importance to the manufactories: in support of which a reference was made to the fact, that the manufactures were never in so depressed a state as when the raw material was at a low price. But why did this happen? The manufactures were not depressed, because the material was at a low price; but the latter fell to a low price, because the manufactures were depressed: the trade being so cramped, that the manufacturers were unable to purchase the raw material, but at a rate at which the importer was compelled to sell it to them. On the other hand, the arguments were extraordinary. It was contended, that if any obstructions were thrown in the way of the importation of the raw material from America, or any increase caused in its price by additional duties, it would be impossible for the manufacturers of this country to enter into any successful competition in the continental markets: facts, however, disproved this statement. Ever since the opening of the markets on the continent, in short, wherever British manufactures had not been kept away by military violence, there they had been most successful. The increase of our exportation within these few months past had been almost incredible: nor was this to be considered as strange; for what continental country could be expected to contend successfully with us in this important point? In most of the countries on the continent, there were high duties on the importation of cotton; and the state and nature of the war rendered the prosperity of their maufactures impossible. He was, therefore, persuaded, that whatever regulations parliament might see fit to make, we had nothing to apprehend on the score of rivalry on the continent. His opinion was, that at present it would not be wise in parliament to interfere in this great question. The opposition which his own measure had encountered in the House, together with the opinions of many respectable manufacturers, had induced him to withdraw his proposition. Nothing that had occurred, induced him to believe, that the substituted measure of a blockade would fail of success: but if it should unexpectedly fail, other means might be adopted next session, which would have a subsidiary operation, in effecting the desired object. Were the measure now proposed adopted, the consequences would be, not that no American cotton would be imported, but that a less quantity would be imported. A depôt would be established, from which the cotton would be brought to this country, in vessels having the British flag; and the additional expences would fall either upon the grower in America, or upon the consumer here, or be divided between them. That the addition of *2d.* or *3d.* per pound, which might be occasioned, would have much effect on America, it was difficult to believe. In this view of the subject, however, he still thought that the imposition of an additional duty, as proposed by himself, would be the preferable mode of proceeding. This would perform distinctly, and in a simple manner, what the measure now proposed aimed at doing in a circuitous and less efficient way. Another strong objection which he felt to the proposition was, that the duration of the measure was not to depend on the act of the British parliament, but on the policy of the American government. It was very important that all the circumstances should not be placed out of the power of parliament, and left at the direction of a hostile government. Respecting importations from the East Indies, it would at least require two or three years' experience, before a trade with so distant a country could be safely left to its own protection. The political reasons, as to leaving a trade so long out of the hands of parliament as was proposed, were deserving of consideration. On the whole, he thought, that in the present advanced state of the session, it was much better to let the question rest, and to wait the events of another season, and the effects of the blockade of the American ports. If it should appear next session, that any subsidiary measure was rendered necessary, the House would be more able to come to a discussion of the subject, and the sense of the country more correctly ascertained. He concluded with moving the previous question.

Mr. *Canning* said, that all must agree that sufficient had occurred to keep the mind of government in considerable doubt, though the time appeared to be now arrived at which its mind ought to be made up. He understood his right hon. friend to have no measure to propose; but that he opposed the worthy alderman's motion, and wished to put an end to the agitation of the question. It would be idle to suppose, that on such a subject, any plain simple principle would be sufficient to lead to a conclusion. True, it was advantageous to go to market where raw material was cheapest; but crossed and ampliated as the question was with our colonial system, that principle could not be applied to a state of things like the present. It certainly did not seem fair to circumscribe our colonies in many respects and not allow them to procure the supplies they wanted. This might be either right or wrong; but no simple principles would apply. Every thing in which so many feelings and interests were engaged must be decided upon by the peculiar circumstances of the case. Hon. gentlemen had expressed a desire to press upon America, approved of the blockade, and hoped for our perseverance. But what was to be its effect? To do that which the hon. member for Glasgow deprecated; namely, to stop the importation of American cotton, and raise its price. Some were for the blockade, because they thought it inefficient for the objects which it professed. They were against any measure which might prevent the drippings and strainings of the cotton trade, if he might so express himself, from finding their way here. The operation of any salutary measures would go to complete the object of the blockade; not merely as against a belligerent, but to stop the growth and produce of cotton in America, and to inflict some retaliation on America for her prohibitions against us. Whether this was right or wrong, it was not necessary to argue with those who supported the blockade, and yet opposed subsidiary measures in its aid. Those who said there should be no blockade, ought to say openly, that if it prevented the introduction of American cotton, it was idle; that the blockade was against their interests, and ought to be raised; and that even during war a safe passage ought to be granted for their cotton to this country. In effect, they ought to say, "Be it known to you, Americans! that our manufactories are dependent upon you." There was this advantage in a settled system, that other places would know what to reckon upon, and what encouragement was afforded to them by the blockade, comparing its probable effects with the chances of its evasion. He objected to that part of the worthy alderman's provisions which rendered his measure commensurate with the policy of the American government; and did not fix upon a certain period of time, since that would tend to discourage our own growers. Some time should be fixed; say two or three years for instance. This was due to our own colonies. The effect of the present motion was to consider the 43d of the King, to prevent importation in neutrals,—so far to restore the Navigation Act. That alone, though aiding the blockade, would not be sufficient. The utmost effect was to catch what might come away in spite of the blockade, and to regulate how it should be brought here. It was said that if prohibited here, it would yet find its way here, through continental means. Then make the blockade actual; and make the cotton find its way to a neutral country, only by British vessels. As there was a general concurrence as to the blockade,—a measure which was even extolled,—he had no concern with any general broad principles, but must assume, that it was established for the shutting up of American produce in America. That was actually contended for by those who said, "Go no farther." The whole question deserved the consideration of the House, and he should vote for going into the committee, as presenting the most effectual mode of coming to a satisfactory decision.

Mr. *F. Robinson* said, the worthy alderman had not proposed the most desirable mode of effecting his object: therefore he was not bound in consistency to support his motion. He entirely agreed with the worthy alderman, in the difficulties that ministers had found in the way of satisfying all parties. Indeed, he believed, for himself, in such cases he should be most likely to be right when he satisfied none.

Mr. *Stephen* cordially agreed in the views of several members, but regretted that he was unprepared for the present motion, at so late a period of the session. By the law of war, trade could not be carried on with America except by royal license. The Act of the 43d only gave power to the King in council to legalize importations. The general navigation laws prohibited importation, except in our own ships, or the ships of places where the commodities imported grew. If the Act authorised other intercourse, it would be a great anomaly. He thought the cultivation of it in our West India islands highly important to our general interests, and a happy accommodation of the system in favour of the slave trade abolition. The culture of cotton required only a proportion of one to three negroes, compared with that of sugar. Instead of a lamentable mortality, the number of slaves was kept up in the cotton plantations, as was proved by the evidence respecting the Bahamas, where they had even increased. It should be remembered, that attachment to France in America was chiefly in the southern states, where the cotton was mostly grown. Danger was distant, since it was declared that we had now cotton enough here for two years' consumption. There was a very great probability of importation from the East Indies, and from the Brazils, to which we could send our own manufactures. This would be for the interest of our manufacturers, who would derive an equivalent for a little increase of price in the raw material. He looked at the blockade in a general view. If it stopped the egress, so it did the ingress of trade, though it could not entirely shut up all the ports. It certainly prevented the clandestine importation of our own goods into America. He considered a prohibition more effectual than a blockade.

Lord *Castlereagh* said, the subject involved a complication of important considerations in commercial policy, and manufacturing interests. He must resist the motion, not so much on its principle, as on account of the late period of the session, which was a serious objection, as there was no opportunity for all the parties to protect their interests. Had this measure originated with the worthy alderman, he thought he would feel some apology due for bringing it on at this advanced period. When his right hon. friend (the Chancellor of the Exchequer) proposed his measure, there was much supineness on the part of those who were now so eager for the adoption of the present mode. The House appeared then adverse; would it be candid to press the subject now? He repeated, that it was the time, and not the principle, which he mainly objected to.

Mr. *Barham* spoke against the motion.

Sir *W. Curtis* supported it, as encouraging our own growers and those of our allies, and discouraging our enemies.

The House then divided on the Chancellor of the Exchequer's amendment; Ayes 61: Noes 65. Majority against the Amendment 4. The next division was on the main question, "That this House will resolve itself into a Committee of the whole House, to consider of so much of the said Act as relates to the importing of cotton wool in neutral ships." Ayes 63: Noes 61. A Committee was accordingly appointed.

ORANGE LODGES.] Mr. *Williams Wynn* rose, pursuant to his notice, to bring before the attention of the House the formation of a Society which existed in direct contradiction to the law of the land. He did not feel it necessary to apologise for the lateness of the session, as it was at all times the duty of that House to watch over the public peace. If new societies had lately been formed for purposes unauthorised by law, which had announced their existence in the most public manner, and had also promulgated their rules and regulations, it was necessary to take care that they should do no injury to the public peace and tranquillity of the country. The existence of such societies in this country was, as he conceived, directly in opposition to a specific Act of Parliament, 39 Geo. 3, c. 79, which was passed in the year 1799, for the very purpose of putting down societies meeting for political purposes, and bound to each other by oaths and tests. This Act expressly mentioned divers societies existing, where unlawful oaths were administered, and where the members bound themselves to secrecy and fidelity, and knew one another by secret signs. It then proceeded to prohibit the meeting of those societies by name, and all others, the members whereof should be required to take any oath, test, or declaration, not authorised or required by law, or which should be composed of different divisions acting separately from each other. By this statute, those oaths were to be considered unlawful, that were not authorised by law, and severe penalties were imposed on persons becoming members of such societies, who in certain cases were liable to transportation. There was a particular clause in this Bill, for excepting the Freemason lodges from the operation of this Bill, on condition of their registering themselves with the clerk of the peace, but this was extended to no other denomination of meetings. Now, it appeared to him, that it did not signify what objects might be in view, or might be professed in the institution of the new societies which he spoke of. If there was an oath of secrecy, and the members were to be bound together by secret bonds of union, those societies might be perverted to the worst of purposes, whatever were the objects which they at first proposed. A society of this nature, denominated a Grand Lodge, and having affiliated societies carrying the ramifications of the system throughout the whole kingdom, might be a machine powerful enough to produce the most important mischief in the state. In the late disturbances in the northern counties of England, it had been found, that even the friendly societies which had been established under the sanction of parliament, for the most benevolent purposes, were, in fact, made dangerous machines for the purposes of the discontented.

With regard to the original institution of the Orange Society, he should say but little. They originated in Ireland. They took their rise there at a time of great public tumult, when rebellion raged, and civil security was endangered. It was to be remembered also, that there was no Act in Ireland to suppress or check such societies, similar to what existed in this country; and, bearing this in mind, as well as the condition of society from which they sprung, it was difficult to say how far they were defensible, or how far they were not. One part maintained that they were founded upon the acknowledged principle of self-defence, and had arisen from an association for mutual protection against the outrages of the rebels, while the other contended that nothing more decidedly contributed to the increase of United Irishmen than the example and influence of the Orange Societies. Probably there was some truth in both opinions; though now, when that country was in a state of comparative tranquillity, the existence of these societies was, he believed, highly prejudicial to the public peace. Notwithstanding their professions of assisting the civil power, every successive government in Ireland had found them rather obstructing than supporting its authority.

For the first time, however, they were now proposed to be established in this country, and certainly it was impossible to conceive an institution more ill-timed in itself, or more mischievous in its operation. (Hear, hear!)—In delivering what he had to say upon the subject, he wished to divest himself of every feeling that could have the remotest reference to that great question—Catholic Emancipation, which was necessarily so intimately blended with the societies under consideration. If, however, he were friendly to the sentiments that held these societies together—if he were hostile to the claims of the Catholics, he should equally feel it his duty, as one anxious for the public peace, and jealous of unconstitutional associations, to seek every means of checking them. Every one must see, that if these societies were permitted they would give rise to others of a similar nature, and thus one part of the country would be arrayed against the other, with all the jealousies of political faction and hatred.

It was fit to apprize the House that much of what he intended to say had been rendered unnecessary by a proceeding adopted, he supposed, by the members themselves of those societies. He alluded to a pamphlet which had been freely distributed in the lobby of the House, containing the rules and regulations of the Orange Society; and though he might doubt the propriety of such distribution by the officers of that House, yet he would confess it gave him some satisfaction, as the perusal of the pamphlet would put the House better in possession of the main facts he wished to urge than could have been accomplished by any detail of his own. At the time when he gave his notice, he had founded his objections upon another pamphlet containing an account of the Laws and Regulations of the Orange Society; and at the end of which pamphlet, it was announced that a smaller and cheaper edition would soon be published, which might be easily dispersed through every part of the kingdom. It was material, however, to mention that there was a great difference in the contents of the two pamphlets, the latter being apparently more adapted for the purposes of general circulation, and for producing influence upon certain minds. In this pamphlet the oath differs from the one in the larger publication, by the following specific qualification:—"I A. B. "do solemnly and sincerely swear, of my "own free will and accord, that I will "to the utmost of my power, support and "defend the present King George the "third, his heirs and successors, so long "as he or they shall support the Pro-"testant ascendancy, &c." What could be thought of such an oath? Conditional allegiance!—loyalty depending upon the maintenance of the Protestant ascendancy! terms hitherto unknown in this country. What construction would necessarily be put upon this oath? Would not every man put his own? And in that case, might not every one consider himself as discharged from his allegiance, supposing the royal assent should be given, as he trusted it would be given, to a Bill for the relief of the Irish Roman Catholics. Such would infallibly be the result upon weak and ordinary minds.

He next came to consider the Oath of a Marchman or Marksman, for in this as well as every other society formed on the model of the *illuminati*, there were separate degrees, more and less deeply initiated in their secrets—Both by this and the preceding oath, the member swears, that he "never will reveal either part or parts "of what is privately communicated to him, "until he shall be duly authorised so to "do by the proper authority of the Orange "Institution." In this declaration, the House could not fail to observe, that no salvo was made for legal examination or inquiry in a court of justice. Another instance in which the two pamphlets differed, occurred in the secretary's oath; for while in the former one, the oath related merely to keeping safe the papers belonging to the lodge, and declaring that he would not lend the seal so that it might be affixed to any forged paper, &c.; in the latter, the oath included a declaration, that he (the secretary) "would not give any copy of the secret articles of the lodge, nor lend them out of the lodge, &c." Here, again, was manifestly an illegal oath, as it openly set aside the authority of the law, and the power of a court of justice, and an avowal that there existed further regulations than those now printed and communicated to the public.

He would next refer to the means which were provided for establishing those societies over the whole country. It appeared that Orange Lodges met regularly in London, Manchester, Birmingham, Liverpool, Norwich, Sunderland, Dover, Chelmsford, Newcastle-upon-Tyne, Sheffield, Bury, Halifax, Exeter, Plymouth, Chester, Cambridge, Coventry, Oldham, and many of the smaller towns. The publisher of the pamphlet also (Mr. Stockdale) was the person to give any information respecting the days of meeting, names of the masters, &c. to any Orangeman or person desirous of becoming one. Provisions likewise were made for establishing district lodges, and regiments being considered as districts, the masters of all regimental lodges were to make half-yearly returns of the number, name, &c. of the members of their lodges to the secretary of the grand lodge. And in these military lodges, (in defiance of all discipline) officers, non-commissioned officers and privates were to meet on a footing of equality. The expences of the society were also provided for, though in what those expences could consist was no where intimated, except, indeed, from one regulation, which decreed that no member should receive any pecuniary aid for law suits incurred from party spirit; whence it was inferable, that aid and support in all other law suits would be given. The organization of those societies was announced in all the papers, and especially in those known to be under the controul of government; accounts respecting them were constantly circulated in different parts of the country, and extracts of their proceedings were copied from the provincial prints. With such evidence before him he could not doubt the existence of these lodges—names of high rank had appeared among those of the members, and had appeared without any contradiction; and it became the imperious duty of that House, therefore, to check the evil in its growth. He was aware it might be said in opposition to the motion which he intended to submit, that they could not proceed without more evidence before them than the unauthorised statements of an anonymous pamphlet; a committee, however, to enquire into what evidence might be produced, seemed to him highly necessary. If nothing was done, those institutions might acquire such vigour, and make such progress during the recess, that it would, perhaps, be difficult to put them down at all. It was the duty of the House to make further inquiry, and if necessary to address the crown, that it would direct the law officers to take proper measures for suppressing these illegal associations. He had no doubt the existing laws would be found sufficient; but if they were not, the hands of government ought to be strengthened, to enable it successfully to oppose a system fraught with so much danger to the constitution; a sort of *imperium in imperio*, an organised society, with inferior lodges regularly reporting their proceedings to a superior one.

Among the names of high rank to which he had alluded, there were some belonging to the army; but if any one thing could be more subversive of all discipline than another, it was the introduction of secret societies among the military. This would be true of any such institutions, framed for whatever purpose; but it was more particularly true of such as had political objects for their basis. He would not detain the House any longer, but should conclude by moving, "That a committee be appointed to inquire into the existence of certain illegal societies under the denomination of Orangemen."

Mr. *Bathurst* was not surprised that the publication alluded to had attracted the attention of the hon. gentleman, and he hoped the motion would be of use even to the parties themselves, whom he looked upon as having involved themselves in a breach of the law, however involuntarily. He would wish to warn them against the difficulties in which they might involve themselves. Keeping out of view the principles upon which they acted, and looking only to what was contained in the pamphlet; looking at the publication as a code of laws by which a certain number of persons bound themselves, he was prepared to go the length of saying that they had rendered themselves amenable to the law as it stood, and that the House might take up the subject, as tending to a breach of the principles of the constitution. It was impossible to say to what purposes such societies might be perverted if allowed to proceed. With respect to the army, if such societies were carried into effect, one must see, from the practice in another country, to what dangerous consequences it might lead. Such societies in Ireland took their rise from the battle of the Boyne; but such an institution could have no application to the present state of society. With respect to the friendly societies, he must have the candour to state, that they bound themselves by an oath of allegiance, by which they bound themselves as good and faithful subjects in all particulars but one. It did not appear to him that the constitution needed any such support. With respect to the military, such institutions were certainly dangerous. He had no doubt that they were amenable to the law. He did not see, therefore, the smallest occasion for the interference of parliament. Some irritation might arise from an enquiry such as that proposed. It would be rather a delicate matter to call before the House such persons as must become their own accusers. In the larger publication alluded to, he understood the Irish code of the Orange societies was contained, and the English code in the other. He did not know if such was the case. He hoped, however, that what was said would prevent the necessity of enquiry. He thought the best thing they could do would be to pass to the other orders of the day.

Mr. *Stuart Wortley* said, that this subject was not to be contemplated as a mere breach of the law, which might be punished in any of our courts of justice, but the principle of the societies themselves ought to be condemned with the utmost severity. He was in doubt whether the better mode would not have been, to have treated these Orange clubs with silent contempt, and their intemperance would soon have put a period to their existence. He equally disapproved of societies of a contrary tendency; those who met and dined together, and claimed exclusively the title of Friends of Civil and Religious Liberty. He censured severely the late proceedings of the Catholic committee, hostile to their own object, and disgusting even to their friends. The resolutions of the Catholic bishops were still more disgraceful, and if the Catholic Bill had been now before the House, they would see sufficient to induce them to insist upon a clause giving to the King the veto to their nomination.

Sir *Henry Montgomery* said, he hoped he might be excused for reading the following extract of a letter he had lately received from a most respectable and intelligent resident magistrate in the county of Donegal:

"My dear Sir Henry; June 4, 1813.

"A most horrible affair took place here on the 26th ult. (at Carrowkeel), in consequence of a dispute between two Protestants (Orangemen) and two Catholics, a few days previous, coming from the fair at Melford. An immense body of the latter assembled in the fair of Carrowkeel, and about three o'clock in the day one of the Protestants, whose land lies near to the fair-place, was seen in his field, and the whole body of the fair instantly rushed forward and pursued him into the house, which they surrounded, and probably would have broken open and taken his life, but his neighbours and friends, also Protestants, and who had received intimation of the intention of the Catholics to beat them at the fair, if they met them, and if not, intended to beat them at their own houses—had prepared themselves with arms and some ammunition, went to the relief of their friends, and when they came within sight of the house, which was surrounded by this immense multitude, they fired some shots, not to injure, but to intimidate; this brought against them the fury of this mob, and they were pursued and driven with stones into their houses, which were set on fire, and three of them in attempting to make their escape from the flames had their brains dashed out; three of the opposite party were also killed, one by a shot and two others by bayonets, when attempting to force into the houses on the people. One man who set fire to the houses, and three others who are sworn positively to, as being aiding in the murders, are in gaol, and I think must be all hanged at the next assizes.

"A sullen gloom has spread over the Catholics, whilst the Orange party are inflamed with indignation and ire at the barbarity of the deed; and I much fear that a flame of discord will burst forth that will not be easily allayed. The magistrates here are on the alert, and their unanimity and concord will, I trust, prevent much mischief. We are to have a meeting on Wednesday next, at Ramilton."

Here, continued the hon. baronet, are nine valuable lives lost to the state, who might have fallen in a better cause: six in the riot, and three who will pay the forfeit of their lives to the offended laws of their country, and in a county where a public execution had not been known for many years. He said it was the pride of the county to reflect, that when other parts of Ireland were in rebellion, the county of Donegal was loyal and enjoying perfect tranquillity, and it remained so until the revival of the Orange clubs among them. It was, I think, in the year 1809, that about 50 Protestants of a very low description resolved to, what is called "walk in procession," with the Orange flags and paraphernalia of their society, through the populous town of Letterkenny, several miles distant from their habitations, which town is chiefly inhabited by Catholics, and in which there never before, as far as I am informed, had an Orange procession been. The consequence, as might naturally be expected, was that all the Catholics in the town, men, women, and children, met them in the suburbs, that a dreadful scuffle ensued, and that after much blood had been spilt, the Orangemen were obliged to return home. The consequence of this attempt has been to rouse the Catholic feeling, before that moment at rest, and that the whole Catholic population of the county formed themselves into a general confederacy to oppose the Orange party; that oaths and pledges were given to each other, I believe most dangerous to the interest of the state: and that since that fatal period all confidence has been at an end between two sects who formerly lived together in brotherly affection. Sir Henry said the nobleman lately appointed to the high office of Lord Lieutenant had an arduous duty to perform. He had not the advantage of high birth and exalted rank to support him; but he trusted he would shew an example of sobriety to the country, and that when he visited the interior of the kingdom we should not hear of "midnight orgies," of songs and toasts tending to inflame one part of his Majesty's subjects against the other.

Mr. *Peel* rose, and, with considerable warmth, observed, that the hon. baronet would have done better to have practised what he recommended, and have kept to his subject, instead of going out of his way to cast a most unfounded insinuation on the character of the nobleman at the head of the Irish government. No governor had ever shewn a more firm determination to conciliate all parties, and to set his face against all improper combinations. He could mention several instances of his resistance against the spread of an illiberal party feeling: he had last year disbanded one corps, because they had manifested some dissatisfaction at their commanding officer for signing a Catholic petition. Such was the conduct of the nobleman who was accused of giving inflammatory toasts at his midnight orgies. He felt he ought to apologise to the House for having condescended to notice what had fallen from the hon. baronet on this point; as to what he had said regarding orgies and revels, he should leave it unanswered, as unworthy of reply.

Mr. *M'Naughten* insisted that these societies had been absolutely necessary in Ireland, for the preservation of the loyal subjects of the King against rebels, and he thought that it would be extremely severe if the 39th Geo. 3, passed against traitors, should be applied to the liege subjects of the King. A great deal of nonsense had been uttered upon this subject, and secrets were conjured up that had no reality; he would always support the Protestant ascendancy, and the descendants of the princess Sophia: if such a man were a traitor, he was one. If this act was to be applied to Orange-men, why was it not to be extended to the Friendly Brothers, or to the Free-masons, to both of which societies he belonged? Whether he was or was not an Orange-man, after what had been said, he dared not confess; much had been said on the subject of their signs, but these he conceived, were only used by the members to know those who were of the fraternity.

Mr. *Whitbread* wished the temper shewn by the two hon. gentlemen who spoke first in the debate, had been followed by the other members who had taken a part in the discussion. He wished the hon. baronet had made no allusion to any orgies; but he was surprised at the temper evinced by the right hon. Secretary, who had himself been the first to use this expression, and had applied it to arraign the conduct of a pious and venerable prelate, (the bishop of Norwich.) Neither could he see any connection which the present question had with the dinner given to the Friends of Civil and Religious Liberty. The hon. gentleman was wrong in saying, that any principle of exclusion was adopted to assemble that meeting: from the nature of the case, only a limited number of tickets was issued, but they were open to all who chose to apply for them. The noble lord (Castlereagh) whose conduct had been so praiseworthy in the course of the Catholic Bill, had been invited. But that meeting, when they had dined, did nothing more; they formed no club; they took no oath; they instituted no conspiracy against the Protestant faith. He did not think that the subject ought to be dismissed in the manner mentioned by the right hon. gentleman, (Mr. Bathurst). For were there not persons of high rank supposed to be at the head of this new association? Were there none but unwary persons concerned? Was it unwary to print and distribute pamphlets? Was it not rather wary and insidious to publish two distinct sets of pamphlets, in one of which, destined for the more educated, the conditional oath was omitted; while in the other, which was to be circulated among the private and non-commissioned officers, and the lower classes of society, this poison to the constitution was suffered to remain. Ought not the House to enquire into this dark conspiracy, calculated to sever the Protestants from their Catholic brethren? It had been impudently said, that the Prince of Wales and the Duke of York were at the head of these clubs: in youthful inexperience they might formerly have entered into them, but were they now to be held out to the army, to the navy, and to the people at large, as individuals patronizing and countenancing these worse than illegal proceedings; these outrages upon common decency and common sense? But the members of these associations were to be pardoned like school boys, because they were ignorant of the law, because they were ignorant that they were doing wrong, and this public notice having been taken, it was to be supposed that they would subside! The law of 1799, when it was passed, was executed with severity, and why was it now to be relaxed: were the robes of a peer proof against the sword of justice: was there a magic charm about the great which bewildered the understanding, and made that appear in them a virtue which in others was an unpardonable crime? The blood royal was even polluted by this charge, and far from the promoters of this system being unwary, in his opinion, they were dark, designing, aad insidious. It was true they were in their actions contemptible and grovelling, but he could not consent that they should creep out uninjured. It was fit that they should be strangled before they gained strength and numbers; for who would interpose when parliament thought it unnecessary. Great names had been mentioned as connected with these Orange clubs: the titles of two of the individuals who held the first stations in the kingdom had been profaned, by being coupled with these disgraceful meetings. He wished, he expected, to hear a disclaimer of any such patronage and support being by them afforded, and that the insertion of their names was an infamous fabrication. It was impossible to divine who might not be accused. An hon. gentleman over the way had talked of secret signs, by which he could discover his associates: Mr. Whitbread would be glad if he would point out what members on the opposition side of the House belonged to any of these Orange associations.

Mr. *Preston* thought the Society equally illegal without the oath as with it.

Mr. *Canning* said, it was consolatory to reflect that among all the digressions which they had that evening witnessed, no one had branched into any such anomaly as to stand up in defence of the innocence of the institutions which were the subjects of their discussion; nor had any one denied that those who entered into its full design, were guilty of an attempt against the peace of the empire. It had been said, that in Ireland institutions of this kind existed with advantage to the state, and to the defence of one part of the community. Without entering into a discussion on what side were first begun those violences which justified each other, he could recollect the sufferings of that country, and did not wish to introduce into this part of the empire, those symbols, watch words, or whisperings, which conveyed to men's minds the idea that there was need of unheard-of devices, to protect the constitution from the inroads of those whose object was to overturn it. Was the Act of 1799 founded on avowed intentions? No. The Revolution Society, the Constitution Society, bore on their faces no intention to destroy, but to preserve, purify, and redintegrate the constitution. Nor was it in the profession or even in the design of the Orange Society that the danger existed, but in its possible application. He confessed he felt some indignation at the manner in which the subject had been pressed on the House by its members. What an aggravation would it have been, while they were passing the Act of 1799, if the Revolution or Constitution Societies had thrust papers into their hands to show the extent of their proposed reform? and how much more so if they had begun by saying, that the government was untrue to its trust, and that the care of the public safety had devolved on the good sense of the nation, which they had modestly assumed to be vested in themselves? This presumptuous, this stupid proceeding, but for the contempt it excited, would call for not only inquisitorial but vindictive proceedings. But he hoped that this society needed only to be noticed to sink into oblivion, and he wished, therefore, that the House should separate without any decision. If the hon. mover pressed his motion, he should have his vote. He thought, however, that the decided sense of the House, and a declaration (which he did not doubt would be given,) from one of his Majesty's ministers, that the law would be recurred to, if the association were persisted in, would put an end to this despicable society, which if suffered to exist, might shake to its foundation this noble country.

Lord *Castlereagh* concurred entirely with the right hon. gentleman who had preceded him, and expressed his obligations to the hon. gentleman who had brought forward the question, for the temperate manner in which he had discussed it. It was but justice to the individuals who belonged to the association in question, to say that they were not disaffected to the state, but the Act of 1799, which stamped illegality upon them, though levelled at the societies, proceeded on the ground of putting down all such associations. But associations were peculiarly dangerous, when grounded on a principle of excluding all persons except a particular sect. In Ireland there might have been formerly some cause for them, but they had survived the danger. Such associations were ever dangerous, but especially so when extended to military bodies. He felt it was unnecessary to press the subject further, and he trusted that the feelings of the country would re-echo the sentiments of parliament, and repress these bodies without the assistance of coercion; for he was convinced the good sense of the people would prefer the empire of the law to the domination of clubs and associations.

A Member, whose name we could not learn, animadverted on the presence of two royal dukes at the dinner of the Friends of Civil and Religious Liberty, and protested against such conduct.

Mr. *W. Smith* said, the presence of these illustrious personages had no tendency to make others break the law. Every word uttered by them on that occasion was becoming and honourable; especially the declaration of one of them, that he was a pensioner of the people, and felt bound to attend to their interests.

Mr. *Bennet* said, that the illustrious persons in question had been specially invited by the stewards.

Mr. *Wynn* said, in compliance with the general wish of the House he should withdraw his motion. The unqualified disavowal and disapprobation of the Society in question rendered reply unnecessary. He hoped his Majesty's ministers would be alive to every attempt to carry the plan of these Societies into execution. As to what had been said of the professions of the Society, the United Irishmen only swore to promote brotherly love.

The motion was then withdrawn.

Corn Trade.] Sir H. Parnell, as he thought it impossible at the present late period of the session to get a Bill through the House, founded on the Report of the Committee, did not intend pursuing the subject further at present, though his opinions remained unaltered.—Mr. Rose restated his objection to the Report, and intimated when brought forward again, it would meet with considerable resistance.—After a few words from Mr. Peel, Mr. Horner, Mr. Whitbread, and Mr. W. Smith; on the motion of sir H. Parnell, the consideration of the Report was postponed to this day three months.

HOUSE OF LORDS.

Wednesday, June 30.

VACCINATION.] Lord *Boringdon* rose to move the second reading of the Vaccination Bill. The subject was not exactly in the ordinary course of legislation, but to say that the House was not competent to legislate in this matter, was a libel upon its dignity, and an insult to its feelings. The question was of a distinct nature, but not novel in its principle. The course was warranted by the whole history and practice of our legislation. It might, perhaps, be said, that every individual had a right to do what he pleased with his own person and property. This, however, was not the language of the law; and, as a proof of this, he referred to the law by which a person who committed suicide was denied the benefit of Christian burial. A man might also build a house, but, though his own property, he could not set fire to it without rendering himself liable to the severest punishment. With the same view he adverted to the laws respecting Quarantine, which were consolidated in the 45th of his present Majesty. A British subject going to places where the plague occasionally prevailed, and returning on urgent business, was under the necessity of remaining 40 days in some place appointed for quarantine before he was permitted to disembark. The law had likewise in other respects provided against the spreading of infectious disorders, as would amply appear in the register of writs: and lord Coke, speaking of the writs upon which persons might be imprisoned, expressly mentioned among the number, the writ *de leproso amovendo*. The small pox was unquestionably an infectious disorder; and he read documents, from which it appeared, that owing to the constant open exposure of those who were inoculated with the small pox, in all the stages of the disorder, great numbers were infected. Of the deaths in London, one out of every ten was ascribed to this disease. It had been also calculated, that in the course of a century the disease had destroyed upwards of 4,500,000 persons in the United Kingdoms. Under these circumstances the provisions of the present Bill would be very deserving of consideration, even though vaccination had not been a perfect preventive,—subject, perhaps, to some of that uncertainty that almost always prevailed in human affairs: but he rested the Bill on two facts—that the variolous disorder was infectious, and that the vaccination was a complete preservative. The first fact was notorious; and as to the second, he read a Report of the Vaccine Institution, and adverted to the opinions of the College of Physicians and Surgeons in the capitals of the three kingdoms, in corroboration of his statement. He then stated, that he intended to drop two clauses of the Bill, and to add two or three others. One of these was, that whenever a person was inoculated, notice should be given to the clergyman of the parish. A noble lord (Redesdale) had said, that the parochial clergy neglected their religious employments, and sought the amusements of market towns; a charge that he could not, from any experience of his own, think very just: but he should think the clergy very negligent of their duties, if they should refuse to take a little trouble in regard to a matter of so much consequence to the health and lives of their parishioners.

The *Lord Chancellor* wished that the Bill should be withdrawn and another presented, as the alterations confessedly to be made by the noble lord were more numerous than the whole of the rest of the Bill. As to the notice to the clergyman of the parish, that might be often a very difficult matter, as perhaps he might not be within 14 miles of the place of residence of the person bound to give the notice. He had no doubt the clergymen would willingly undertake any duty imposed upon them, with a view so benevolent as that which the noble lord entertained: but what were they to do, when they got this notice? There was nothing on that point said in the Bill.

Lord *Boringdon* agreed to withdraw the Bill, but promised to bring it forward next session.

Lord *Ellenborough* observed, that the whole that was intended to be done by this Bill for the prevention of the spreading of infectious diseases, might be done already by the common law. All those spreading, or contributing to the spreading of such diseases, might be indicted and visited with very severe punishment. This Bill rather narrowed than extended the operation of the common law. He thought that experiment might be tried, as he considered that vaccination might, on the whole, do good, though he did not think it a complete preservative from the infection; but it was so, he believed, for eight years, or thereabouts, and it was, perhaps, sometimes apt to introduce disorders into the constitution. Upon the whole, however, he thought it a good thing; and as a proof of it, he had already vaccinated eight children. With regard to the provision for putting a red flag at the tops of houses where any of the inmates had been inoculated with the small pox, and which might be called the ornamental part of the Bill, as that had been abandoned, he would say nothing farther about it: but as every thing that was intended by the Bill was much better done by the common law, he saw no occasion for it at all.

Lord *Redesdale* positively denied having made the charge against the parochial clergy which had been imputed to him.

The Bill was then withdrawn.

HOUSE OF COMMONS.

Wednesday, June 30.

Helleston Election Bill.] Mr. Bankes moved the order of the day for going into a committee on the Bill to secure the freedom of Election in the borough of Helleston.

Lord *A. Hamilton* wished to correct a mistake respecting an opinion he had formerly expressed, which seemed to be prevalent in the House, and had found its way into most of the newspapers. When he had said on that subject, that no corruption could attach to the duke of Leeds, he had meant pecuniary corruption only; for he was sure, and would declare, that the word 'corruption,' in its constitutional sense, applied to the whole transaction, and to every person concerned in it. The frequency of these abuses he, however, attributed to the remissness in the House in not punishing them always with exemplary severity. He approved of the principle contained in the Bill of throwing the borough open to the freeholders of the hundred; but he thought that a clause should be introduced by which men thus acquiring the right of voting, should be in possession of a freehold of 10*l*. a year.

The Marquis of *Tavistock* declared that he thought the principle of the Bill ought to be extended generally to a system of parliamentary reform, and that it would be advisable to transfer the right of election which had been forfeited by the borough of Helleston to the populous county of York, rather than to the hundreds of the corrupt borough itself.

Mr. *W. Smith* said, it appeared to him that every consideration joined to make it necessary to take a measure somewhat different from that now before them. There never was a fairer opportunity of convincing the people of their wish for rational reform. He warmly approved of the suggestion of the noble marquis, and wished the right to be transferred to some more populous district; Cornwall being already represented out of all proportion.

Mr. *Rose* thought that the transferring the right arbitrarily to a remote part of the country would only lead to a scramble and confusion, and that it was better to abide by former precedents in similar cases.

Mr. *Wynn* said, that the Bill had followed the precedents which existed in cases of this nature, but the present was different from former instances in this, that in other cases the corruption had been partial, whereas, here it was general, and extended to every one of the five aldermen who had the right of election vested in them and in any number of persons they might appoint.

Mr. *Lascelles* disapproved of the idea of extending the representation of Yorkshire, as the expences of elections there were already too heavy. He conceived that the time for considering the state of representation in that part of the country would be when some general plan of reform was before the House.

Mr. *Whitbread* said, that the proper time for reform was one that never came. If it was recommended in consequence of the discovery of some particular abuse, then it was put off till a general plan of reform should be digested, and when any such plan was brought forward, it was immediately discarded as altogether dangerous and impracticable. There never was a period in which the influence of the crown had been exerted so directly and improperly on the decisions of that House as in the present session of parliament. With respect to what had fallen from the hon. member for Yorkshire, he could not understand how dividing the representation could increase the expenditure of the candidates, as it arose entirely from the number of electors.

Mr. *Swan* said, if the elective franchise of this borough, and of Tregony and Grampound, could be transferred to Yorkshire, he was sure it would be of the greatest advantage to the country.

Mr. *Brand* said, that House was the proper tribunal to decide on the question; and, in his opinion, the suggestion of the noble lord was best calculated to cure the evil. The powers of the House were quite adequate to suspend the powers of representation in places that were corrupt, and he thought they should do so in the present instance.

Mr. *Wilberforce* highly approved of the Bill, but thought at the same time that the proposition of the noble lord was such as ought to be adopted on the next instance which might occur. He thought it would tend to a good purpose, if they were to settle what places they should assign the right of voting to, on the occurrence of cases like the present.

Mr. *P. Moore* hoped the hon. member who spoke last would waste no more of his time or solicitude on the improvement of Hindoo morals, when he found that there was so much to do at home that he could not tell where to begin. He was strongly for the extension of the elective franchise. If Helleston and a half dozen more, if not the whole of the rotten Cornish boroughs, were thrown into Yorkshire, it would be for the benefit of the country.

The Marquis of *Tavistock* said he did not mean to press his suggestion at present.

The House then resolved itself into a committee on the Bill. On the first clause, which confined the operation of the Bill to Helleston and the adjoining hundred,

Mr. *Wynn* moved as an amendment, that the provisions of the Bill should be extended to the other hundreds of the county of Cornwall.

Mr. *Bathurst* opposed the motion, contending, that the House knew no more about the other hundreds of Cornwall, than they did of the West Riding of Yorkshire.

After a discussion, in which Mr. Grenfell, Mr. Swan, Mr. R. Smith, Mr. Lascelles, Mr. Rose, Mr. P. Moore, and Mr. Bankes participated,

Mr. *Wynn* said, that finding the sense of the House against his proposition, he begged leave to withdraw it, at the same time giving notice, that on the Report, he should move to vest the right of representation, now existing in the borough of Helleston, in the West Riding of Yorkshire.

Mr. *Bankes* moved to fill up the blank in the next clause, which related to the amount of annual freehold property necessary to qualify as a vote, with the sum of ten pounds.

Mr. *Abercromby* warmly objected to this departure from the ancient practice, and moved as an amendment, to fill up the blank with the sum of forty shillings.

A long discussion again ensued. It was contended on the one hand, that no parliamentary grounds had been laid for a deviation from the existing general qualification; and on the other, that the great change which had taken place in the value of money since the establishment of that sum as a proper qualification, justified the proposed increase. Eventually, however, Mr. Bankes agreed to the amendment.

The next clause involved the oath to be taken by the elector; it stated, that the freehold property, in right of which he claimed to vote, had not been fraudulently conveyed to him for that purpose.

Mr. *Bankes* moved to omit the word 'fraudulently' as superfluous and improper. Property might be conveyed to an individual to enable him to vote at an election, and yet the conveyance might not be fraudulent.

After some conversation between Mr. Abercromby, Mr. Bathurst, and Mr. P. Carew, Mr. Bankes's motion was agreed to; on an understanding that it should be subject to reconsideration on the Report.

Mr. *Swan* announced his intention of moving, upon the Report being brought up, that no mayor or alderman of Helleston should be allowed to act as returning officer for that borough. For if a voter were rejected by any of these persons, and he was asked the reason, *mum* was, according to practice, the order of the day, while if another voter in the same circumstances were received in support of a favourite candidate, the returning officer was questioned in vain, for *mum* was also the order of the day. And if the returning officer were told that an appeal would be made to that House against his conduct, his answer generally was, or would be, "I value not your menaces, for I shall be as well supported in that House as you can be." In fact, these persons, if promised protection by any great man, were quite indifferent how they acted. He would therefore rather have the sheriff of the county appointed the returning officer of this borough, because he was generally a man of character and property, more responsible, and less likely to act under undue influence.

Mr. *P. Grenfell* vindicated the character of the five aldermen of Helleston, whom he conceived to have been attacked by the learned gentleman, than whom he knew no equal number of individuals more respectable.

The House resumed, and the Report was ordered to be brought up to-morrow.

MOTION RESPECTING A PRINTED PETITION FROM NOTTINGHAM RELATIVE TO PARLIAMENTARY REFORM.] Sir *F. Burdett,* in rising to present a Petition, which he conceived of the utmost importance to the safety, happiness, and character of the country, thought it necessary to advert to certain disadvantages in which the Petition was placed. It was a Petition from the people of Nottingham in favour of parliamentary reform, one effect of which measure would be to prevent such scandalous proceedings as had been described in the course of that evening. But such proceedings were not confined to the borough of Helleston. No, they were notoriously general, although, when brought before that House, no one could be found who would dare to defend them. Yet, by such proceedings, and by such boroughs, was the majority of what were called the representatives of the people actually returned. He therefore most entirely concurred in the sentiments of the Petition which he held in his hand, and he could not imagine any rational ground upon which it could be rejected. He had heard, indeed, that it was objectionable because it was a printed petition, and that on that ground another petition had been recently rejected; but he hoped the right hon. gentleman in the chair would see reason to change his opinion upon this subject. For how could the circumstance of a petition being printed form any substantial ground of objection to its admissibility? Or why should such a ground be allowed to interfere with the subjects' indubitable right of petitioning that House? If any resolution of the House on record sanctioned any objection of this nature, it ought, in his judgment, to be rescinded by an assembly, the doors of which, according to the declaration of the Speaker, ought to be thrown wide open for receiving the petitions of the people—for receiving the petitions which, according to the Bill of Rights, ought in no case to be obstructed. If, indeed, there were any standing order to support the objection referred to, he should at once move that it be rescinded. But he did not believe there was any such resolution or order. A resolution was, no doubt, entered into by the parliament, as it was called, of Cromwell in 1656, (for which parliament he supposed that House had no respect) that no printed petition should be received, but even this resolution referred only to private petitions; and for the precedent of 1793, when a petition was rejected because it was printed, he could entertain no respect, conceiving, as he did, in opposition to those who preached the doctrine of precedent, that it did not follow because a certain thing had been done before, it would be right to do it again without any reason to recommend it. Now he saw no reason for acting upon the precedent of 1793, and he could not see why that House should be bound by the proceedings of any former House. With this view of the subject, and considering that a printed petition afforded more facilities, and was less liable to misrepresentation, he must think, that instead of being objectionable, it was, in fact, more desirable in the form to which some gentlemen objected. He meant as to form and not as to essence; the only material object was to have a petition so arranged, that the signatures could be verified; and he could not see how such verification was more practicable or certain in a written than in a printed petition. For these reasons, and as several other petitions similarly circumstanced with the present, were ready for presentation, he should feel it his duty to press its acceptance, if no good reasons should be stated againt his view of the subject. He therefore moved that the Petition be received.

The *Speaker* observed, that according to the practice of the House, printed petitions had been uniformly rejected. An attempt had, indeed, been made on the 5th of May, 1793, to alter the practice, but the sense of the House was decidedly against it.

Lord *Castlereagh,* while he disclaimed any wish to obstruct the right of petitioning, thought the ground stated by the Chair a sufficient objection to the hon. baronet's motion. But another objection occurred to his mind, arguing from analogy to the case which last night occupied the attention of the House, namely, that individuals should not be encouraged to organize statements for the signature of others—to print and circulate complaints through the country in the form of petitions—to transfuse into the minds of the people grievances only felt or imagined by those with whom they originated, and which would not otherwise be expressed by any portion of the people. If the petitioners had any grievances to represent, and seriously wished for the redress of them, it certainly could be no difficult matter to state them in the customary way. The obstacle was, in fact, raised by themselves, who took the unnecessary trouble of printing that which it was merely requisite to write.

Lord *Rancliffe* saw no difference between printed and written petitions, when the redress of grievances and the interference of parliament were constitutionally sought.

Mr. *John Smith* was aware of the practice of the House not to receive printed petitions; yet he could not perceive that the practice was founded in that consistency which called upon the House to listen at all times, and with every possible attention, to the complaints and prayers of the people.

Mr. *Abercromby* would throw the doors of parliament wide open for the reception of petitions; but he regretted that so many petitions, and on such trifling subjects, were now presented to the House. He thought it no hardship to be obliged to write petitions. [As the present motion was intended to try the question whether printed petitions should be received or not, he would vote against it.

Mr. *Whitbread* thought it was much better to have many petitions on the table of the House, even though frivolous, than to throw any obstruction in the way of a single petitioner. If every one wrote the petition he signed, there would be some excuse for refusing to receive printed petitions; but as that was not the case, as persons so far from writing the petitions sometimes never read them, he saw no reasons for rejecting a petition because it was printed. In 1656, a period to which he would not look for precedents, the assembly, then called the parliament, refused to receive printed petitions, but their resolution only referred to private petitions. He had frequently had petitions forwarded to him where the signatures for the convenience of the parties had been affixed to more than 20 printed petitions, which had been afterwards torn off, and the names attached to one written petition: surely this mode was more objectionable than receiving printed petitions. The noble lord had conjured up an analogy between those petitions and the Orange clubs; but until the noble lord could shew that societies existed for the purpose of obtaining printed petitions, the analogy could not be fairly said to exist. The petitioners had been blamed for wishing to bring the question to an issue: he thought they were perfectly right. There was nothing disrespectful in their conduct. He had heard no reasons why a printed petition should not be received, and he found no resolution of the House to that effect. He wished to see the matter reduced to a certainty, and should vote for the motion.

Mr. *Bathurst* saw no difference upon the question of analogy, whether proceedings of this nature originated with a club or a missionary travelling through the country to canvas for signatures, to persuade people to express grievances which they did not feel. He had no objection to come to a decision on the subject; but he protested against the idea, that because no resolution was to be found rejecting printed petitions, such was not the law of parliament. The petitioners had raised a wanton question, and therefore he hoped the House would not break through its established usage.

Mr. *Wynn* declared, that it appeared of little importance to him how a petition originated, whether the production of a society formed for that purpose, whether the work of a missionary who went through the country persuading people that they were aggrieved and collecting signatures, or the spontaneous production of those who saw and felt what they complained of; if it approached the House in a printed shape it could not be received. He was therefore against the motion, it having been long ago resolved, that only written petitions should be received. So many years practice he thought sufficient as to the point of form—a deviation from which might lead to many difficulties.

Mr. *Canning* said, that if the petition had appeared to have been drawn up in ignorance of the customs of the House, he should have been induced to vote for receiving it, with a specific note of its being contrary to the usual practice. It was unnecessary to discuss whether the custom was wise and reasonable or not; for every court had a right to expect that its own regulations should be conformed to. He did not conceive the present petition to have been dictated so much from a wish to express the feelings of the petitioners, as to try the experiment, whether a petition like the present would be received. He was as anxious as any one, that the doors of the House should be open to persons who chose to apply to it by way of petition. But with this feeling, he could not see that it was any improper tax on persons applying to the House for redress of grievances, that so long as the doors of the House were open to them, they should condescend so far as to conform to the customs of the House. On this principle he was for refusing the present petition.

Sir *F. Burdett*, in reply, declared himself to be satisfied that the petitioners were ignorant, as he declared himself to have been, of any determination come to by the House as to the rejection of petitions labouring under the informality objected to in that now under consideration. As to the custom of the House, properly so called, he denied that there was any such as the right hon. gentleman now contended for. The noble lord (Castlereagh) had no objection to individual petitions, yet he would oppose the general voice of the people, united in one great and important measure; and would rather admit their signatures when attached to one common petition, to which they had not been originally appended, than when transmitted in a much more authentic shape, attached to printed copies of the original petition by which they were accompanied. Esteeming the subject of the present petition one of the greatest importance, he gave notice, that he should, early in the next session, feel it a duty which he owed to these numerous petitioners, to move, that the subject be taken into immediate consideration; and with these impressions he should equally feel it his duty now to divide the House.

The House then divided; For receiving the Petition 11; Against it 75; Majority 64.

List of the Minority.

Atherley, A.
Brand, T.
Bennet, H.
Combe, H. C.
Gaskell, B.
Moore, P.
Ossulston, lord
Rancliffe, lord
Tavistock, marquis of
Western, C. C.
Whitbread, S.

TELLERS.

Burdett, sir F.
Smith, J.

East India Company's Charter Bill.] Mr. *Canning* wished to know if the noble lord meant to press the East India Bill that night, as, if he did, there was a clause to which he particularly wished to call the attention of the House, among the many by which the Bill had been swelled and made to wear an appearance so different from its original shape. The clause to which he alluded was one by which the importation of saltpetre was confined to the Company, and this restriction, if any advantage was really meant to be extended to the outports, would be one attended with great inconvenience to private traders, for this was the only article with which they could ballast their ships.

Lord *Castlereagh* had no objection to postpone the question, provided the House would consent to go into it at an early hour to-morrow. With respect to the clause to which the right hon. gentleman had alluded, he had only to say, that whatever were its merits or demerits, it had not been suggested by the Company. The question was, whether every one should be permitted to import an article that formed an essential portion of warlike stores, or whether it should be subjected to regulations which might be deemed useful by the government. If, however, it should seem that any advantage to be derived from such regulations were balanced by the advantage resulting to the private trader from having free access to the article, it was for the House to decide which interest should be attended to.

The Report of the Bill was then ordered to be brought up to-morrow.

Vote of Credit—Address respecting Peace.] On the Report of the Committee on the Prince Regent's Message respecting a Vote of Credit being brought up,

Mr. *Whitbread* said, to save the time of the House, he should only offer a few words on this subject, and should then move an Address to the Prince Regent, with the view of putting his sentiments on record, but without any intention of dividing the House. At this time of the session, at this period of the night, and with the wish for peace which was now on foot, he should not think it necessary to use more than a few words. The sum now proposed to vote, however, was beyond all example, amounting, as it did, to five millions. Last year the vote was three millions, but that had been found insufficient. The army extraordinaries this year were exceedingly great, and now the House was called on to agree to a Vote of Credit great beyond all example. He considered the vote infinitely too great; but he had no hope of being able to induce the House to narrow the grant. On the first day of the session he did move an Address to the Prince Regent, enforcing upon his Royal Highness, and upon the country, the expediency, when it was possible, of achieving the great work of peace. Since then a great overthrow of the ruler of France had taken place, such as could not have been expected by common means. He was anxious that this opportunity should not have been lost, and that it should not have been in the power of the French emperor to instil into the minds of the people of France, that it was the wish of this country to limit the bounds of France still farther. While the emperor of France was not able to make any effort corresponding with his former military force and reputation—when, in fact, he was pursued almost within his ancient boundaries;—at that period no attempt to effect a peace was made. He (Mr. W.) did once more think that a fit moment for negociation, and for effecting an advantageous peace. They had again, however, found that instead of the power of France being exhausted, its ruler had brought forward a force more gigantic than any which had been produced by that country since the French Revolution. The allies, though once more concentred on the Rhine, had been certainly compelled to retreat beyond the Elbe and almost to the Oder. Once more terms of negociation seemed attainable; and it appeared to him almost impossible that this country should not again offer terms of peace, when the Swedish treaty appeared to frustrate that expectation. Before the Vote of Credit passed, however, at least, as soon as it did pass, he should, in terms as moderate as possible, put on record his opinions as to what ought to be the conduct of England at this important period. The allies, in the present contest, he did not believe to have at heart, one more than another, the real benefit of mankind, or a sincere desire to establish peace on the continent. The strongest illustration of this was to be found in the treaties between Sweden, Russia, Prussia and England. It might have been thought, that when Russia was contending against that lust of dominion attributed to France, when she assumed to herself the title of the Deliverer of Europe, when she maintained that she was fighting in the common cause of Europe against the usurpations of France, it might have been expected that she would set the example of self-denial and moderation to the allies, by surrendering to Sweden her acquisition of Finland. That, however, she was not disposed to do; and yet, as Sweden would not act in concert with her without some equivalent, Norway was fixed upon to be given as an indemnity for Finland. The plea of the safety of Sweden, which was set up in defence of this measure, he considered as absurd; but, if the allies, instead of consenting to this dismemberment, had guaranteed the integrity of the Danish dominions; by that policy Denmark would have been joined in co-operation with them, instead of being thrown into the arms of France, and from which alliance it was hardly possible now to anticipate her separation. In another quarter, the principles of justice might have been exhibited, by the restoration of Poland on the part of Russia, Prussia and Austria. If the expectations of it had been held out, coupled with the restoration of Finland, the allies could have put on a good face, in seeking for the restoration of the desired equilibrium. Now, he hoped for a peace on the continent, and that the court of St. James's would so far accede, as to co-operate in the work: but not having that confidence he might wish to have in our councils, he should feel it his duty, when the Vote of Credit should be agreed to, to move a temperate Address on the subject.

Lord *Castlereagh* thought it on all accounts better not to enter into details on the points noticed by the last speaker, especially as he had himself seen fit to withdraw his intended motions on the subject. The expence of the vote was certainly great, and it would be a splendid exertion of liberal policy. He admitted that the hon. gentleman had shewn as much forbearance, as could be expected from him, considering his political views. He believed him to feel as much for his country's pride and honour as any other man; but his views concerning peace were rather peculiar, since he thought that negociation could always be entered upon, and never, as far as he (lord C.) could recollect, was it attempted, but, such was the temper of the hon. member respecting peace, that he ever considered his own government as the party placing impediments in its way. (Hear, hear, from Mr. W.) He did not impute to him a less proud feeling than any other; but his opinions had certainly differed from those of parliament and of the country. His mind was so tinctured on this particular subject, that he was always for pacific propositions; but always against those made by his own government. The moment for peace which our government had always looked to, was that in which they could see the ruler of France disposed sincerely to enter into a negociation for that object, with the view of making a fair peace, promising a reasonable duration; which should be the view of any practicable pacification. If the hon. member were not blind to what passed on the other side of the water, he would have read in a formal official instrument of Buonaparté after his flight from Russia, a notification of the terms on which alone he would listen to peace; among which was this, that his dynasty must reign in Spain. As a case *prima facie*, the hon. gentleman had no right to say that we were indisposed to a peace on terms consistent with our independence and our honour. There was not an act between us and our allies that appeared inconsistent with the uninterrupted and fair union of our councils and arms. As to the cases of Finland and Poland, how was it that they never heard from the hon. member, of France being bound also to divest herself of her aggrandizements? This he said not for argument; but to mark the character of the hon. member's mind on this subject: he seemed, indeed, to think, that to seek peace was to get it. He should go no further into this subject, considering the hon. member's speech as an annual protest, expressive of his desire for peace; and should only add that he should give his motion a negative.

Mr. *Abercromby* said, the great difference of this war from others was, that formerly the cession of a particular point was sufficient to procure peace on either side; whereas now, no cession, short of independence, might be able to obtain it. After this admission, he yet thought it well became them to sanction the moderate propositions of his hon. friend. Buonaparté had suffered in the late compaign, more by his own rashness, grounded on his uninterrupted career of success, than by the ability and skill of his antagonists. A favourable opportunity, therefore, offered, when France was so reduced, by the loss of the greatest marching army of which history made mention, and that for the first time he had suffered a great reverse since his accession to supreme power in France. It seemed, therefore, expedient to put his professed desire for peace to the test, under all these unlooked-for and favourable circumstances. He must regulate his vote not so much on the practicability of peace as on the disposition of ministers. A proposal of peace might have had good effects here, and might have elicited the opinions of the French people at the most critical period of the history of that very able person who now governed France: but, he thought, we had shewn no great desire for peace. We had done nothing for prosecuting the war, but the concluding of an unprincipled and unprofitable treaty, which might obstruct the work of peace. Did the noble lord think the French ruler incapable of estimating the feelings and temper of those with whom he engaged in a war? Buonaparté knew there was no probability of peace, and affected, on that account perhaps, to talk high of his confidence in the people of France. After a variety of other observations, he concluded by saying, that there was none more disposed to hold high the independence of England than his hon. friend.

Mr. *Marryat* thought that it was utterly impossible that this country could treat with France on the ground that the treaty of Utrecht should be admitted as the basis upon which the question of its maritime rights should be settled. It was impossible that ministers could enter into a negociation on such a principle. In every country dignity was strength, and humiliation weakness. He would allow that a critical moment was now before us, in which it was to be determined whether ministers could, or could not, enter into a negociation for peace with the enemy. He thought, however, that this question should be left, in the first instance, to the determination of ministers, and that they ought not to be enthralled or fettered by such an address as had been proposed.

The Resolution for a Vote of Credit was then agreed to:

Mr. *Whitbread* then rose to move his Address, and to protest against some of the inferences drawn by the noble lord from his speech. He had never contended that this country could make peace; all he contended was, that the experiment for peace was not fairly tried. Neither had he ever asserted that when negociations for peace failed, the failure was always attributable to our government; he had only maintained that on those occasions all practicable means of success had not been pushed to their utmost. The hon. member then concluded, by moving an humble Address to the Prince Regent, expressing the confidence of the House, that while they voted a sum of unexampled magnitude to be placed at the disposal of his Royal Highness, his Royal Highness would not fail to use his utmost exertions in procuring to the country a peace founded upon a secure, honourable and permanent basis.

Mr. *Horner* supported the Address, because he thought ministers required the admonition and advice of parliament, that they might not let slip an opportunity for negociation, should one present itself.

Mr. *Stephen* adverted to the Swedish treaty, and begged the House would consider the spirit in which that treaty was concluded. No stipulations were made in favour of England, but, on the contrary, we stipulated to cede a valuable conquest, —the island of Guadaloupe. We also stipulated to furnish a subsidy to Sweden, and the principal thing we asked in return was, an arrangement to prevent the extension of the slave trade—an arrangement which, although it did honor to the feeling and the morality of this country, could not be said to be dictated by interest. In this negociation at least, it could not be said that any selfish consideration had warped the ministers from a proper consideration of what was for the general good.

The Address was then negatived without a division.

HOUSE OF LORDS.

Thursday, July 1.

Ecclesiastical Courts' Bill.] On the order of the day for going into a Committee on this Bill,

The Duke of *Norfolk* moved an instruction to the Committee to extend the Bill to Ireland, and expressed his satisfaction, that by the provision of this Bill the power of excommunication was to be abridged, which ought, in his opinion, to be confined solely to spiritual matters, and not be suffered to take away from a man all his civil privileges, and render him, as it were, an outlaw in his own country.

The Archbishop of *Tuam* observed, that the clauses of the Bill would not apply to the church of Ireland, and would therefore, by being extended there, only create confusion. A Bill, however, on this subject was preparing with relation to Ireland, which would be presented to parliament early in the next session. As to excommunication in the mode mentioned by the noble duke, he had never heard of it in Ireland.

The Duke of *Norfolk* asked, whether the laws applicable to this subject were not the same in Ireland as in England?

The Archbishop of *Tuam* answered in the affirmative.

The Duke of *Norfolk* then said, that it was equally necessary to prevent the abuse of those laws.—The motion was negatived.

The House having resolved itself into a Committee on the Bill: after some verbal amendments,

The Bishop of *Chester* objected to the clause, enacting that no person should be appointed chancellor of a diocese except an advocate practising in the court of Arches, or a barrister of three years standing, who had taken the degree of bachelor of civil law at one of the universities. His lordship contended that the clause was unjust, as conveying an undeserved imputation upon the bishops, with regard to these appointments, and impracticable, inasmuch as persons properly qualified, of the description pointed out, could not be found to undertake the office. He therefore moved to strike out the clause.

The *Lord Chancellor* did not see any ground for alarm, in what had been stated by the learned prelate, as to the impracticability of finding persons properly qualified to undertake these offices, and observed, that the objection of interfering with the patronage of the bishops ought not to prevent the legislature from enacting what qualifications should be required in persons appointed to judicial offices.

Lord *Ellenborough* supported the arguments of the bishop of Chester, and after instancing several able churchmen, who had either filled the offices of chancellors of dioceses, or to whom the public were indebted for most valuable works on the subject of ecclesiastical law, contended that the clause would, in effect, confine the appointment to advocates practising in the court of Arches, who would not be qualified to render bishops that assistance which it was of importance they should be enabled to derive from their chancellors. The qualifications required in chancellors of dioceses were already laid down in one of the canons of the church, and an improper appointment by the bishop would, he conceived, be voidable in a court of law.

The Bishop of *London* also objected to the clause.

The *Lord Chancellor* expressed a wish that his noble and learned friend would prepare a clause instead of that now in the Bill.—The clause was struck out.

The House resumed, and the Committee was appointed to sit again to-morrow.

HOUSE OF COMMONS.

Thursday, July 1.

Mr. Hargrave's Books and Manuscripts.] Mr. *Whitbread* rose to state to the House, that the Committee appointed by them had met, and examined witnesses respecting the nature and value of the books and manuscripts of Mr. Hargrave. Many of his books were enriched with notes, which were extremely valuable, in the opinion of those who were the most competent judges; and it was conceived that the books and manuscripts would be a great acquisition to the public, if deposited in the library of Lincoln's Inn. It was unnecessary for him to say any thing respecting Mr. Hargrave's learning and character. There was not a lawyer in England who would not be ready to bear testimony to his great erudition, abilities, and industry. The hon. gentleman concluded his speech, by quoting from a recent learned publication, (Maddock's Life of Lord Somers, p. 142) a passage concerning Mr. Hargrave, which was quite congenial with his own sentiments, "See what Mr. Hargrave says in his interesting and learned preface to sir Matthew Hale's work on Judicature in Parliament, p. 14. I quote that preface with additional pleasure, since it affords me an opportunity of expressing my admiration of Mr. Hargrave. When I reflect upon his profound learning, his useful, his infinite labours, his gentle manners, his pure, disinterested, and patriotic mind, he seems to me to rank amongst the greatest benefactors of his country." He should content himself with moving, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that the sum of 8,000*l.* be issued out of his Majesty's Civil List revenues, to be applied towards the purchase of the Books and Manuscripts of Francis Hargrave, esq. one of his Majesty's counsel in the law, for the public use; and to assure his Royal Highness that this House will make good the same."

Mr. *Rose* expressed his hearty approbation of the motion, and his persuasion that every one who knew Mr. Hargrave would concur in it.

The motion was then unanimously agreed to.

East India Company's Charter Bill.] Lord *Castlereagh*, in moving that the order of the day be read for the House to resume the Committee on the East India Bill, begged to call the attention of the House to the stage of that measure. He trusted that the Bill would be suffered to proceed to the Committee without any previous discussion on the general principle. Such a discussion at the present moment would surely be thought unnecessary, when it was considered that there were two subsequent stages, the report and the third reading, on either or on both of which it might take place, and when to this consideration was added the reflection, how extremely material it was that no avoidable delay should take place in the progress of the Bill. He repeated therefore his hope that gentlemen would, when in the Committee, confine themselves to the discussion of the particular clauses of the Bill, and not travel into a more enlarged consideration of the subject.

Mr. *Tierney* thought the request of the noble lord rather extraordinary. When the Bill was read a second time the House were told that it was desirable not to discuss it, as the debate on the general principle might be taken on the question for the Speaker's leaving the chair. Now they were asked not to discuss it, as the debate might be taken on the bringing up of the report. At least this was not decorous. It was not parliamentary. For himself, he had no intention of saying a word on the question, but he protested against such a mode of treating the House.

Lord *Castlereagh* observed, that the remarks of the right hon. gentleman would induce any one who did not know the fact, to suppose that there had not already been any discussion on the original motion for the Speaker's leaving the chair.

Mr. *Tierney* replied, that on that occasion there had not been an opportunity afforded to several hon. members who he knew wished to declare their sentiments to the House on this important subject.

Mr. Alderman *Atkins*, adverting to the Committee on the 43d of the King, respecting cotton, which was fixed for that night, suggested the propriety of allowing that Committee to precede the Committee on the India Bill.

Mr. *P. Moore* declared his intention on the third reading of the Bill of delivering his sentiments at length on the East India question. He should on that occasion particularly advert to the conduct of the Board of Controul, who had taken the East India Company up in great prosperity, and had brought them to a state of embarrassment and poverty.

Mr. *Rickards* also announced his intention of speaking at large on the third reading.

Mr. Alderman *Atkins* repeated his suggestion respecting the Committee on the 43d of the King. It was for the sake of the manufacturing interest, now so materially affected by the introduction of American cotton, that he was solicitous.

Mr. *Canning* observed, that it would be convenient that the House should come to some understanding with respect to the period at which they would resolve themselves into the Committee adverted to by the worthy alderman.

Lord *Castlereagh* said, that conceiving the East India question to be one of paramount importance, he could not consent to wave the Committee upon it for the purpose of giving precedence to the Committee proposed by the worthy alderman.

Mr. Alderman *Atkins* expressed himself ready to abandon the proposition, which he had given notice he would make in the Committee, on the 43d of the King, if ministers would agree to some measure that should affect the object which they had in hand. Would they repeal that Act? Would they lay a duty on American cotton?

The *Chancellor of the Exchequer* repeated his statement on a recent evening, that he did not think any measure on the subject was advisable at this late period of the session. Unquestionably, as his proposition early in the session evinced, his opinion was, that a duty on the importation of American cotton, if any measure were resorted to, would be the best that could be adopted; but, considering that so large a proportion of members had left town, and that the commercial parties interested in the question were impressed with the persuasion that government had no measure at present in contemplation, he could not consent to introduce any.

Mr. *Phillips* observed, that if his Majesty's ministers could render the blockade of the American ports effectual, the British manufacturers would be satisfied. Their objection was to the superior facility with which the nations of the continent procured American cotton.

Mr. Alderman *Atkins* declared that he would abandon his own proposition if government would agree to the introduction of a short Bill to repeal the Act of the 43d of the King.

The *Chancellor of the Exchequer* once more declared, that he would not introduce, or consent to the introduction of any measure on the subject at the present period of the session. If at the commencement of the next session it should appear that the blockade was inefficient, some subsidiary measure might then be resorted to.

Mr. *Marryat* rose, and was speaking on the subject of the importation of American cotton, when

The *Speaker* called the hon. gentleman to order, observing, that that was a topic which had not much bearing on the question before the House—that the order of the day for going into a committee on the East India Bill be read.

Mr. *Canning* again pressed the necessity of deciding on the time at which the American cotton question should be brought forward.

Mr. *Davenport* was making some remarks on the effect which the prevention of the importation of American cotton might have on our manufactures, when he was interrupted by

The *Speaker* in the following words: The House, Sir, seems to be of opinion, that the cotton question has nothing to do with that before it.

The question was then carried, and the House resolved itself into a committee. On the first clause being read by the chairman,

Lord *A. Hamilton*, who had just entered the House, was proceeding to make some observations on the general principle of the Bill, when

Lord *Castlereagh* informed the noble lord, that it seemed to be understood by the House, before they resolved into the committee, that the discussion should be confined to the particular clauses.

Lord *A. Hamilton* apologised and said,

that he would avail himself of a future opportunity to communicate to the House his sentiments on the measure.

The clause was then agreed to.

On the second clause, which related to the trade to China, being read,

Mr. *Canning* rose, in pursuance of his notice, to move an amendment with respect to the limitation of time. The subject had been so much dwelt and dilated upon, that he would not occupy the attention of the Committee, at any length, in stating the grounds which, in his opinion, ought to induce them to except the clause from the general rule, in point of duration, that pervaded the rest of the Bill. It appeared to him, that all the arguments which had been urged in favour of continuing the Company's monopoly of trade to India, were not only wholly unconnected with the support of a similar proposition respecting the trade to China, but were in a great measure at war with that proposition. It had always been contended by the advocates of the Company, that they opposed opening the trade to India, because it would affect the political power of the Company. They disclaimed any narrow views of commercial advantage in that opposition, maintaining that the unrestrained introduction of British adventurers into India would sap the foundation of their political power. The Company described themselves not as a commercial body, but rather as an instrument which the country had permitted to be constructed for the government of India. Now, these arguments were utterly inapplicable to the China part of the question. By opening the trade to China, the Company would suffer no diminution of political power. Neither by the irruption of adventurers, nor in any other way, could the fabric of that power be shaken by the opening of the trade to China, except as the profits of that trade might be considered as the revenues by which the sovereignty of the Company in India was maintained. He willingly admitted that the existing political character of the Company in India ought to be supported; but he contended that if at the expiration of the period to which he should propose to limit the monopoly of the China trade, it should be found that the profits of that trade were necessary to the maintenance of the sovereign authority of the Company in India, it would be wise, rather than continue the monopoly, to afford the means to the Company out of our own resources at home, to retain their political authority in India. It was contended also by the advocates of the Company, that independently of the preservation of the political power in India, by the profits arising from the China trade, that that trade must be carried on exclusively by a company. If he could admit this, he would have no hesitation in also allowing that the East India Company might be the most proper body to enjoy that privilege. But the two propositions were totally distinct. The attempt to connect the argument arising out of the expediency of maintaining the political power of the Company in India, and the argument arising out of the impossibility of the trade to China being carried on but by the Company, must naturally be unsuccessful. The question of revenue was the only one that could fairly be disputed, and this he met with a fair avowal of his opinion, that if the revenue should be found not adequate to the maintenance of the Company in the government of India, the means of making it so should be furnished by this country. That it was likely those means would be required, he must, however, deny. India would, in his opinion, afford the Company an ample revenue for the desired purpose. But he repeated, that if the revenue of the East India Company should be found insufficient for that purpose without the profits arising from the China trade, he should be ready at the proper time to consider of the means by which the deficiency might be supplied. The question was thus reduced to very narrow grounds, and must be determined by a reference to experience and facts. It had been stated by the Company, that the trade to China was carried on with great profit to themselves, and with great advantage to the country at large. This was a *prima facie* reason why the merchants of this country should be allowed to participate in the benefit. In contradiction to the general declaration that it was desirable the trade of China should be in the hands of the Company alone, was the fact that other nations partook of that trade. The Americans for instance: and in the present relative situation of Great Britain and America, would it not be highly advantageous to exclude the Americans from the trade to China, and to fill up the chasm which would thereby be created with British traders? It might be that the American character had something in it better suited to communication with the Chinese—something more honest, more straight forward, more polished, than the British. But on those who opposed the opening of the China trade to the British merchants lay the *onus probandi* of shewing the motive that induced the East India Company to consider the Americans as preferable co-partners. If it were objected to him that his arguments tended to shew the expediency not of abolishing the monopoly of the China trade at the expiration of ten years, but of abolishing it at once, his answer would be, that he was not disposed, in the prosecution of any abstract system, to endanger any practical good that might exist. What he wished was, if possible, to compromise opposite interests, and to reconcile conflicting principles. On this subject, as on others, he was an enemy to sudden innovation, even when it tended only to shake existing prejudices. He should therefore propose the term of ten years, not as satisfying the principle for which he had contended, but as that period which, making allowance for interest, prejudices, and situation, it appeared to him not to be too much to concede even to arguments that had not convinced him. On these grounds he moved the insertion in the clause of an amendment, stating that the exclusive trade to China should be continued to the East India Company during the further period of ten years, from the 10th of April, 1814.

Lord *Castlereagh* said, he would shortly state to the committee why he could not accede to the proposition of the right hon. gentleman. He used the word 'shortly,' because on a former occasion he had spoken at length on the subject; and he had heard nothing since to shake his opinion upon it. His conviction was, that the duration of the exclusive trade to China ought to be co-extensive with that of the Company's charter. Although he would not contend that, if necessity required the change, the danger arising from it would be of such magnitude as should deter parliament from opening the China trade; yet, he contended, that in wisdom and policy, nothing short of an over-ruling necessity should induce parliament to disturb the existing mode of commercial intercourse with that empire, a mode by which an amicable understanding had been preserved with a country jealous and prejudiced. Though he would not maintain that it was impossible to devise another system under which the trade might go on, he contended, that, without some very strong motive, the existing system ought not to be broken in upon. The mode of communication adopted by the East India Company had secured the confidence of the Chinese, and it would be most unwise and imprudent lightly to risk the loss of such an advantage. The argument adduced from the participation of the Americans in the trade, was without foundation. They, no doubt, derived protection and security from the establishment of the Company, the abolition of which might probably lead to the most disastrous consequences; for it was well known how cheap commerce and foreigners were held by the Chinese government. If this country had no other resource, then the hazard of a change ought to be run, and he confessed that he should not despair of seeing a mode devised by which the benefits of the trade to China might be preserved; but the existing system was so valuable, that he could not consent to its alteration, unless on a specific necessity, and not on the general ground of commercial advantage. Looking at the question in a financial point of view, he contended, that the public would benefit more by the continuance of the monopoly than by the opening of the trade. He could not agree with the right hon. gentleman, that it would be better to increase the revenue of the Company by direct taxation, than to permit them to keep that revenue up by the preservation of the China trade. Undoubtedly, the Company could not administer the government of India unless secured in some way or other. There was a large debt for which the Company and the country were jointly responsible; and the best way to secure the payment of it would be to give to the privilege of an exclusive trade to China the same duration as to the Company's charter. On the fullest reflection that he had been able to bestow on the subject, he was persuaded that this was the soundest policy; and he should therefore oppose the motion of the right hon. gentleman.

Mr. *Phillips* said, he should support the amendment. The arguments generally urged for an exclusive Company being better adapted than private merchants for carrying on the China trade, were ridiculous in the extreme. The private merchant would look as carefully into the quality of the tea he procured in China, as any public company could possibly do. He must therefore support the amendment.

Mr. *Baring* was convinced the trade to China could be better managed by a monopoly than in any other way; and that those who did carry it on by means of private trade—as America—did it to a great disadvantage. Of late years the Americans had attempted to introduce the China trade into Europe, and they had found it a most disadvantageous one. To his knowledge there were cargoes of teas, &c. imported by Americans, now lying in different northern European ports, which the importers would be happy to sell at 50 per cent. loss. If there was any reason for supposing that the China trade might be opened in ten years, why not do it now? Another reason, however, for continuing the exclusive trade to China for twenty years, was, that the charter as to India was to be renewed for that period, and the profits on the China trade were deemed necessary to enable the Company to carry on their government in India.

Mr. *Finlay* said, the object of the right hon. gentleman's amendment was, to prevent the hands of parliament from being tied up for so long a period as twenty years; but to give them an opportunity, at the expiration of ten years, to act with regard to the Company as they might then consider wise and proper. He had heard no sufficient reason given to induce parliament to place the Company beyond their power for twenty years. It was said, that if a general intercourse with China were admitted, the government of that country might take offence, and not only drive from Canton those who occasioned the difference, but refuse to permit the Company again to trade with them, even if that branch of commerce were restored exclusively to them. But he would ask the committee, might not exactly the same thing occur, while the Company were in possession of the monopoly? Now, even if Canton were shut against us, he thought a very advantageous commerce in tea might be carried on with the Eastern Islands. The advocates of the Company stated, that the 2,500,000*l.* which, he believed, was the amount of the tea trade, was necessary to the revenue. This might be very true; but he was sure, as it must ultimately come out of the pockets of the people, that it would be much better to procure it by a free trade than by a monopoly.

Mr. *Preston* was in favour of the Amendment.

Mr. *Thompson* said, that as Cochin-China was not under the dominion of the emperor of China, he supposed that place was not included amongst those with which the Company were to be guaranteed in an exclusive trade. The private merchant would, he hoped, be allowed to carry on a trade with that fine healthy country, where it was understood, gold was to be found very near the surface of the earth. But the private trader having procured his bullion, he thought he should be permitted to dispose of it at Canton, as the East India Company did. He could not discover any commanding necessity for this monopoly. Why should not the Chinese have the benefit of missionaries, as well as the natives of India? Yet however anxious individuals might be to proceed to China, for religious purposes, they were precluded by the provisions of the Bill. Even if the Chinese emperor were anxious to have a few ingenious Englishmen in his dominions, the Company could prevent them from proceeding to China. Now, as the people of this country, and not the East India Company, paid those immense sums into the revenue, which had been so repeatedly spoken of, he thought it was a very great hardship that this monopoly should be suffered to exist; and he hoped government would, at least, keep in their own hands the power of opening it. Circumstances might occur, which would render it necessary to throw the trade to China completely open. The proposed extension of the India trade might produce such alterations, even to the Company themselves, as would imperatively call for the extinction of the monopoly. Viewing the subject in this light, he should vote for the Amendment.

Mr. *Marryat* was decidedly adverse to the granting so valuable a monopoly for so long a term as twenty years.

Mr. *C. Grant*, sen. asked, where was the opening to the China trade, but through the East India Company? If the question was, how the country could best secure a great influx of trade, and a great revenue to this country from China, he should say, it was impossible to devise so good an introduction as through the East India Company. It was only through the China trade that the Company had been enabled to defray the expences of the Indian wars in which they had been involved on account of this country; and to limit the duration of the exclusive charter to China to ten years, was to limit the Indian charter to ten years also, instead of twenty. As to the Americans, they had conducted themselves more guardedly than the British had been found to do; and as to Cochin-China, the Company had known it for forty years, and if an intercourse with it could have been rendered profitable, would long ago have availed themselves of it.

Mr. *Preston* hoped, in any arrangement which should be made with the Company that care would be taken, that they should not turn their backs on the interest of the woollen manufacturers. A stipulation, for that purpose, ought, in his opinion, to be entered into.

Mr. *Canning* said, the hon. gentleman, by voting for the Amendment, would place in the hands of parliament a controlling power, which might be directed to the point he had referred to.

Mr. *Astell* thought it unjust to suppose that the Company would not in this respect act as they had formerly done.

Mr. *Forbes* opposed the Amendment, arguing how much more likely it was that the price of China produce should be increased, if 100 purchasers were to go to the market, instead of one. The manufacturers, too, might rest satisfied they would not export one piece of woollen cloth less than they now did; it being one of the best remittances the Company could make. Both interest and inclination therefore, would prompt them to remit it to China as formerly.

Mr. *R. Thornton* said, the proposition of the right hon. gentleman proved to him what had been effected by general discussions of this question throughout the country: for when it was first stated, that an extension of the Company's trade would be demanded, not a syllable, that he had ever heard, was mentioned on the subject of the China trade. He was convinced, if adventurers were permitted to proceed to China, the question of the Hong merchants would be, "Where is the East India Company?" and they would refuse to negociate with any other persons in their absence.

After a few words from Mr. Canning, the Committee divided—

For the Amendment - - - -	29
Against it - - - - - - - -	69
Majority - - - - - -	—40

Mr. *Phillips* next opposed the clause by which notice was to be given to the Company, on the 10th of April, 1831, that their exclusive trade should cease and determine, three years after that period. The hon. gentleman concluded by moving, "That the 10th of April, 1821, should be substituted."

The *Chancellor of the Exchequer* observed, that the proposition now submitted to the Committee, was exactly the same as that on which they had before decided. It was agreed by the Committee, that the China trade should be granted to the Company for twenty years. Now this being the only exclusive trade which they would be suffered to enjoy, the Committee were, in effect, called upon to decide the same point over again.

After a short conversation between Messrs. P. Carew, Phillips, Forbes, Grant, and W. Smith, the Committee divided, when there appeared—

For the Amendment - - - - -	18
Against it - - - - - - - -	59
Majority - - - - -	—41

Mr. *Astell* expressed his intention of proposing a clause on the bringing up of the Bill, by way of making provision for the Lascars.

Lord *Castlereagh* observed, that any provision to that effect would be rendered unnecessary by the regulations which were under consideration.

Some observations were made on the clause vesting the power of licences in the Board of Controul, as also on the clause respecting the tonnage of ships. Lord Castlereagh could not consent to allow the tonnage to go below 350 tons. A conversation took place on another clause respecting the production of the log-books of the private ships. These clauses were passed with some amendments. The clause respecting the importation of saltpetre being confined to the Company's vessels was left out, lord Castlereagh wishing to introduce a proposition on this subject on the report. This clause had not originated in a suggestion of the Company, but of the Board of Ordnance. It would be unfair to impose a responsibility on the Company, by which they were to provide saltpetre at a low rate, if we interfered with their monopoly. On the clause respecting India built shipping, lord Castlereagh intimated his intention to bring in a Bill on that subject, leaving the present system to continue for one year. The clause concerning the whale fishery was also deferred. After some other clauses were disposed of, Upon the clause being read which respected the propagation of Christianity in India,

Lord *Castlereagh* expressed a strong wish that this clause might be allowed for the present to pass without discussion. It was very important to get through the Bill in the committee as expeditiously as could be done, and other stages would occur for discussing (if any farther discussion was necessary) this point as well as others.

Mr. *Forbes* said he could not suffer a clause fraught with so much danger as this was to pass any stage without giving it his most decided opposition, and he should certainly divide the Committee upon it, but that he understood such to be the intention of an hon. member more adequate to the task.

Sir *T. Sutton* disapproved of this clause, because it avowed the object for which missionaries were to go to India. As to the preamble to the clause, he should be glad to have it rescinded. Its only effect could be, to irritate and alarm the feelings of the people of India; and considering that we had the power of sending these evangelical teachers, without so openly and distinctly avowing the objects for which they would go, he thought it impolitic to risk the opposition of so great a body of people as might be arrayed against our government of opinion. He did not altogether agree with what fell from an hon. member (Mr. W. Smith) on a former night on this subject. He thought the natives of India might say, if too open and avowed efforts were made to propagate Christianity, "you have taken from us our territories, you have seized upon our revenues; and not content with taking our country from us, you wish to deprive us of our religion. But our religion you shall not take from us." Might they not reason thus, if he were to judge from the feelings that generally operated on the human mind? He was as friendly as any one in that House could be to the principle of the clause. He thought they would be abandoning their duty as a legislature, if they were not to do all in their power to provide for the further propagation of that religion the blessings of which were our boast and our solace—our comfort and our hope. To neglect this would be to proclaim themselves dead to the feelings of Christians; but then they were not to risk not only the happiness but the security of so vast an empire by hasty and impolitic measures—with the bare probability of doing some good, they were not to expose the empire to many great and possibly lasting evils. His dislike to the clause was, to its open avowal, to its unqualified terms. With the view of removing these objections, amongst other alterations he should propose, after having declared that it was expedient to send persons to India for "the above purposes" (namely, to propagate Christianity), that those words be left out, and that it be declared, it is therefore expedient to send persons to India "for various lawful purposes."

Lord *Castlereagh* deemed the wording of the clause necessary to satisfy other feelings than his own. To satisfy his own feelings he might not have thought the declarations in the clause necessary, but in a legislative measure he considered that it was incumbent on them to put forth such sentiments. But the clause enacted nothing—it declared nothing—it made no provisions for enforcing our religion or for abolishing that of the natives of India. It simply gave the weight and sanction of parliament to the principle; but so far from taking away, or doing any thing to interrupt or abolish the religion of the natives, its free exercise was in this very Bill secured to them. Their religious opinions were to remain free and undisturbed. The introduction of a declaration so temperate in the preamble, would give repose to the minds of the people, and so far from looking at it as a circumstance likely to create disturbances, he considered it in the light of a tranquillizing measure.

Mr. *Marsh* spoke to the following effect:*

Mr. Lushington; I should have adhered to the prudent silence on the subject of this clause recommended to us by the noble lord who has just sat down, had it not been for the alarming exposition of it which has been given by the hon. member opposite (Mr. Wilberforce). He has fairly spoken out; and the natives of India cannot mistake the meaning of the proposed enactment. I am anxious, therefore, to offer my feeble protest against it. It appears to me a most portentous novelty in Indian legislation. In all former modes of polity for the government of India, the inviolability of the religious feelings and customs of the natives was considered a sacred and undisputed axiom. And although a resolution was voted in 1793, that it was desirable to promote their moral and religious improvement, it was a mere abstract proposition, wholly inoperative, and unembodied in any legislative shape; and therefore did not disturb (as this enactment must do, if it is not a mere dead letter) that wholesome policy, which has hitherto preserved India to us, of abstaining from all interference with the religion of its inhabitants. A departure from that policy will shake our empire in that part of the world to its centre. Not that there can be any danger of an avowed or systematic departure from it; or that on a sudden we should become so weak, or mad, or fanatical, as to renounce all the wisdom which history and experience and common sense have imparted to us. But the real danger is this; that the actual attempt, by parliamentary enactment, to convert the natives of India; and the mere suspicion on their part, however wild and visionary, that such schemes are in contemplation; will produce the same degree of mischief and disorder. No man can dream that such a project could be soberly entertained, or deliberately discussed in this House. But it has unfortunately happened, that enough has been said to diffuse this alarm in India; and the clause now inserted in the Bill, combined with certain resolutions and speeches at public meetings, and the petitions which cover the tables of both Houses of Parliament (all of which, without any squeamish or affected delicacy, profess the conversion of the natives of India to be their object), are but little calculated to dissipate or appease it. Here is at once the text and the commentary; the doctrine, and its exposition.

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* From the Original Edition, printed for Black, Parry, and Co. Leadenhall street.

It is true, Sir, that all this may be said to proceed from the over-heated speculations of a certain class of persons, who have worked themselves up to a diseased degree of enthusiasm upon this subject. But my apprehensions are, that the natives of India, contemplating the matter through optics peculiar to themselves, will not distinguish between the projects of these gentlemen, and plans countenanced by the authority, and intended to be effectuated by the power of the state. For they are not only most tremblingly sensitive to alarm on the subject of their religion; but they are so little schooled in our political usages, and the genius and form of polity under which they have been nurtured are so dissonant from the genius and frame of ours, that they will not readily separate the acts and opinions of a large portion of the country acting permissively under the state from the authentic and solemn act of the state itself. That which is permitted, they will hastily infer to be sanctioned. The time, the great legislative question now pending relative to the renewal of the Company's charter, will corroborate this inference. What other conclusions can they draw from the numerous meetings convened for the avowed purpose of deliberating about the means of converting and civilizing them; the petitions for the same objects from every part of the country; and, above all, the opinions avowed by the hon. member, and urged with all the ardour and zeal of his eloquence;—opinions, of which it is the fundamental maxim, that our subjects in the East are sunk in the grossest ignorance and the lowest debasement of moral and social character?

In confirmation of the jealousy which must be awakened amongst them by so extraordinary a zeal for their conversion, comes this preamble; evidently emanating from the petitions on the table; framed to promote the prayer, conceived in the spirit, and almost expressed in the language of those addresses. And although it is followed by a proviso, "that the authorities of the local governments respecting the intercourse of Europeans with the interior, and the principles of the British government, on which the natives of India have hitherto relied for the free exercise of their religion, shall be inviolably maintained," it is plain, that such a proviso will be nugatory and unavailing. The principle is violated, and then you declare it inviolable. You determine that facilities shall be afforded by law to the missionaries who are desirous of proceeding to India, with an affected reservation of powers in the local governments to send them back; without adverting to this obvious consequence, that those powers, if not wholly repealed, will be considerably impaired by the licences granted them by law to go out. For if the controul, under which missionaries have been heretofore permitted in India, was the general power inherent in your governments abroad to send them home as unlicensed persons, is it not pretty clear that such a controul will be greatly enfeebled by the licences antecedently granted them at home? Hitherto, if a missionary misdemeaned himself, the remedy was at hand. His commorancy being under the connivance and permission of the local government, it was no longer connived at or permitted. The nuisance was instantly abated. But now he will be enabled to set up his licence at home against the revocation of it abroad; the sanction of the British government against the jurisdiction of the colonial governor. To be sure, the local governor, if he is determined to execute his duty, must prevail in the controversy, and the missionary will be sent to England. But is there no risk incurred of giving offence to those through whose patronage or recommendation the missionary was sent out? Is not the very circumstance of sending him back an implied censure on the discernment, or good sense, or vigilance of those who permitted him to go out? Besides, it is a discretion which must be exercised by the local governor at the hazard of drawing down on himself, at home, the clamours and resentments of a body of persons, who are every day acquiring fresh accessions of influence and numbers; who are knit together by the strongest sympathy which can unite, and the closest confederacy that can bind a party of men subsisting within the bosom of a community. The slightest affront offered to any member of their fraternity, vibrates as a blow to every one of them. It demands no great effort of fancy to conceive the spiritual denunciations with which every conventicle will ring at the persecution of brother Carey, or brother Ringletaube, should the jurisdiction, which is still nominally left to the local governments over the missionaries, happen to visit those pious gentlemen. So that, in effect, though not in form, that controul will be removed,—certainly impaired; and the governments of India will be disarmed of the means of coercing them, when their zeal becomes licentious and dangerous. This, too, in the very teeth of ample and unanswerable documents now upon the table of this House, which demonstrate that this controul, even in its fullest extent and vigour, was insufficient to repress the evil arising from the increased number and unguarded conduct of these persons. I refer to lord Minto's letter from Calcutta, addressed to the secret committee of the court of directors, dated the 2d of November 1807. That letter states several alarming instances of misguided and intemperate zeal; and of low and scurrilous invective, circulated in the native languages, against the feelings, prejudices, and religions of the natives: and it concludes with this impressive admonition:—"On a view of all the circumstances stated in this dispatch, your committee will admit the expediency of adopting such measures as your wisdom will suggest, for the purpose of discouraging any accession to the number of missionaries actually employed under the protection of the British government, in the work of conversion." I will not shock the ears of the House by reading any extracts from these publications. They must be offensive to the moral taste of every cultivated mind; and to the people of that country they exhibit a picture of Christianity, by no means clothed in those alluring colours, which can alone win over their hearts or understandings; but displaying a fearful and disheartening system of terrors, from which the affrighted reason of man would gladly fly to the most barbarous of superstitions for refuge and consolation.

On what grounds, then, is it proposed to grant these gentlemen the further facilities which are claimed for them? Is it upon any recommendation from those who are on the spot, in high stations there; and whose testimony ought to carry with it no slight authority, not only as spectators of the movements of the native mind, but personal witnesses of the procedures and character of the missionaries? Is any case of grievance, of hardship, of persecution made out, which calls for any new provisions in their favour? Quite the contrary. The governor-general sends home a strong complaint of their misconduct, with a solemn warning against any augmentation of their numbers. So far from having been visited with persecution, the tolerance they have so long enjoyed is not withdrawn from them, even on the strongest proof of their delinquency. The offensive publications are suppressed, but the authors and circulators of them are still permitted to exercise their callings in India. Nay, the very clause which is now under discussion, gives the Court of Directors, subject to the controul of the Board of commissioners, the general discretionary powers of licensing all persons whatsoever to go out to India. The words of the preamble, therefore, which are exclusively applicable to persons going out for religious purposes, are superfluous, with this evil belonging to them; that they indicate a deliberate intention, on the part of the British government, to send out persons for the express object of proselytism.

The noble lord (Castlereagh) indeed, tells us not to be alarmed, either at the undue increase of missionaries, or the kind and description of those, who are likely to go out under the new provisions, by reminding us of the salutary controul, which the Board of India Commissioners will have over their appointment. I confess that my apprehensions on this head would be put to rest, if the noble earl (of Buckinghamshire) who now presides at that Board were always to remain there, or if his successors were necessarily to be influenced by his prudence and good sense. No man is less infected than my noble friend with the cant and fanaticism of the day. No man is inspired with a more philosophical and dignified contempt of it. But here is the inconvenience of making a law, which, to be beneficial or noxious, depends on a personal discretion. The law is permanent; the discretion is transitory. The noble earl's successor may have a different set of opinions on this subject. He may be of the new evangelical school; careless of the mischiefs which may result from premature schemes of converting the Hindoos; or taught, by contemplating only the end which is to be attained, to consider those mischiefs as light and evanescent. So far, therefore, from pursuing a cautious and restrictive policy with regard to the missionaries, he may be of the number of those, who think that the fulness of time is arrived for Hindoo conversion; and that every inspired cobler, or fanatical tailor, who feels an inward call, has a kind of apostolic right to assist in the spiritual siege, which has been already begun, against the idolatries and superstitions of that degraded and barbarous country.

What man, that has rendered himself by study or observation competent to pronounce upon the subject, will not deprecate a provision so well calculated—from the time at which it is introduced, and the explanations with which it is ushered in—to accelerate the calamities, which folly and fanaticism have been long preparing for us in that country, and of which all that we have experienced in the horrors of Vellore may be considered only as the type and forerunner? The noble lord (Castlereagh) himself does not appear quite at ease as to the harmless or beneficial quality of the measure. He has repeatedly suggested to us, with somewhat indeed of paradox, but with great earnestness, that it was a subject too delicate for debate, and too important for deliberation. Hitherto, indeed, we had been in the habit of considering, that, in a ratio to the delicacy or importance of a legislative proposition, it became matter for grave deliberation and anxious discussion. But with regard to the policy of sending out an enactment which may probably undermine an empire, the course is to be inverted. We are required to enact a secret; to whisper a legislative provision; and to convey it clandestinely and without noise into the statute book. This, I say, looks like somewhat of diffidence in the noble lord as to the safety or propriety of the measure. That which it is expedient to adopt, it can never be unwise to discuss. But I know the embarrassments of the noble lord's situation. I know that this measure must be considered to have been rather wrung from his good-nature, than to be the legitimate fruit of his understanding; and that it has been reluctantly conceded by way of compromise, to brush off as it were the importunities that have so long assailed him. However, as it will be no easy matter to make a law affecting the feelings, the rights, and the happiness of so many millions of men, without letting them into the secret; I am disposed to suspect, that the enactment, when it reaches India, will inspire the more alarm, from the very mystery and concealment in which the noble lord has endeavoured to envelope it. I cannot therefore shrink from the discussion.

Reasoning only *à priori*, and with the total oblivion and disregard of all facts (if those facts could be forgotten or overlooked), I should entertain strong apprehensions of this clause, from what I myself know concerning the irritable feelings both of the Hindoos and Mussulmauns, upon the subject of their religions. But all *à priori* reasonings would be absurd, with the fatal occurrences of Vellore, in 1806, staring us in the face, and preaching volumes of admonition against the folly or rather the madness of reviving an alarm in India, of which those occurrences have bequeathed us such mournful illustrations. It is a transaction which has been much misunderstood. It was a religious mutiny, in the strictest sense of the expression. It originated from a belief artfully instilled by the emissaries of the Mussulmaun princes* into the minds of the seapoys, that the British government intended to convert them gradually to Christianity. If any one affects to doubt concerning the origin to which I have traced it, let him read lord William Bentinck's proclamation of the 3d of December following, nearly six months after the mutiny; an interval which had been employed in a minute and accurate investigation into the causes which led to it. The fact is distinctly stated in that paper. It was issued by the government of Madras, to dispel the apprehensions which had worked up the native mind to that dreadful carnage. That proclamation is among the papers on your table. There is also among the same papers, the recorded opinion of lord Minto, given nearly two years afterwards, of the same tenor, and deduced from the same materials. I know it has been the fashion amongst some reasoners to narrow the causes of this event to the injudicious orders, which had been issued about that time, respecting the shape of the turban, and prohibiting the distinctive marks of caste on parade. But they confound what in human affairs are so frequently unconnected and disjoined; I mean, the cause and the occasion. The cause was in the inherent and fixed antipathy of the natives to any change of their religion. The occasion was, the proposed alteration in their dress, with the prohibitions against wearing their marks of caste; which unhappily furnished a powerful topic to awaken and inflame that antipathy, to those who, being implacably adverse to the British authority, were naturally eager to seize every opportunity of seducing the native soldiery into their own schemes of alienation and resistance. The orders, though highly obnoxious, would under other circumstances have been submitted to. Similar orders had been cheerfully obeyed, because they had been unconnected with any religious purpose. In truth, much unmerited obloquy has been thrown on a most gallant and honourable officer, now holding a high colonial station, (sir John Cradock,) for having issued those orders. But it is a justice due to my highly-valued friend, to state, that he had satisfied himself, by the reports of the most experienced official men, that those orders were not at variance with the feelings and prejudices of the natives; and these reports were confirmed by the testimony of some of the oldest native officers, and the opinions of Brahmin and Mahommedan doctors. We must therefore look to the specific circumstances which made the orders in question offensive. They were these. The seapoys were taught to consider them as exterior signs of that gradual conversion to Christianity, which other circumstances had given them reason to suspect was meditated by the British government. Unfortunately, those circumstances were of a kind most likely to strengthen this misconception: for it did happen, that, for some time before the massacre of Vellore, an unusual degree of countenance had been shewn to the various missionaries who had insinuated themselves into India. They had been permitted to circulate, with extraordinary industry, in different parts of the Carnatic, translations of the Scriptures into the native languages; and had exerted much inconsiderate zeal in the commentaries and expositions which accompanied them. The ecclesiastics, too, at the principal presidencies happened at this time to be of the evangelical school; Mr. Buchanan at Calcutta, and Doctor Kerr at Madras. These gentlemen were zealous patrons of the sectarian missionaries. Of course, these persons, thus patronized and caressed, sent home accounts of the flattering reception they had met with. Those accounts induced the societies in Europe to send out fresh exportations. The indiscreet activity of these persons, and their increased numbers, confirmed the suspicions which had been infused into the minds of the seapoys concerning the late innovations in their dress. The result was, that dreadful massacre to which it is impossible to look back without trembling. If it is imagined that the plot, which broke out, indeed, only at Vellore, was confined to that garrison, the matter is much under-rated. It was to have been a general rising on the same day at every principal station in the peninsula: Nundydroog, Cannanore, Quilon, and even at Madras. And had it not been prematurely executed about a week before the appointed day (in consequence of information given by a native officer, which however was not regarded, but the informer actually confined as a madman), the British name would now have been a mere matter of history in India.

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* They were confined in the fortress of Vellore.

Is it possible, that this House will go off into such a fit of absurdity and fanaticism, or be visited with so fatal a fatuity, as not to keep so awful an event before them, in the grave discussion of matters affecting the religion of that country? That event has interposed the warning of sobriety and wisdom to this headlong, precipitate, busy, meddling, gossipping, officious, interference with matters, which the laws of God and nature have placed beyond our jurisdiction. What is the lesson it has left us? Why, that our subjects in India, immoveably passive under our political domination, are wakefully sensitive to all attempts at a religious one; that while they are upholding our empire by the steady and willing services of a patient and unwearied attachment, there are still limits to their allegiance, however firm and enduring, in those unconquerable feelings, and unbending habits, which bind them, as by links of adamant, to the religion and laws of their country. Surely, Sir, we need not the acting over again of that dreadful drama, to be taught, that all attempts on their religion, however cautiously and covertly made, must not only be unavailing, but calamitous; and if the change in the shape of a turban, or the temporary disuse of the marks on their forehead, drove that most passive and obedient soldiery into the bloody revolt of Vellore, what may we not dread from grave discussions at meetings convened for the avowed purposes of converting them; those purposes avowed in petitions from every town in England, and countenanced by a large portion of the legislature of Great Britain, while the great question relative to the civil and political administration of that country is still under its deliberation? If the atrocities of Vellore were prompted by unfounded suspicions, or causeless jealousies, I fear, should that dreadful scene be again acted, we shall be deprived even of that consolation: for we are now administering to their religious fears, something more than mere pretexts to feed on. I feel, therefore, most unaffected apprehensions on this subject; so much, that if my hon. friend (sir Thomas Sutton) had not moved his amendment, I should have proposed a clause of a very opposite character from the noble lord's; prohibitory, instead of permissive, of the ingress of missionaries into India; and accompanied with a solemn declaration, that the inviolability of the religion of the natives ought to be the basis of whatever political system it may be expedient to provide for them.

It is by this policy that India has hitherto been governed. The court of directors, I trust, are not unmindful, that it is the only policy, which can keep the native mind tranquil. Were they not so, with the ample communications they have had from India on this most delicate subject, they would exhibit a memorable proof of their unfitness for any share in its government. It would be their own attestation to their own incompetency. But is there not already a most fatal oblivion of that policy? The opinions of more than one member of that board who scarcely lag behind the wildest enthusiasts in the great work of conversion, have filled me with apprehension. They are omens of the most alarming kind. They convince me, that the powers granted by this clause will be most unsparingly exercised. But should that not be the consequence, those opinions will corroborate the fears already prevalent amongst the natives, who have so long and habitually contemplated the court of directors as the chief depositary of their interests, and the organ in which the political power of Great Britain in India chiefly resides. Mr. Cowper, in his evidence, furnished us with a most important aphorism, when he told us, that "an expression of the most distant recommendation on the part of persons in power, is received by the Hindoos and Mussulmans as a kind of order."*

When I see, therefore, that this spirit of religious enthusiasm, which has so long been at work amongst ourselves, is likely to be let loose on a people not more disjoined from us by their customs and prejudices, than by the ocean that divides us; and that ultimate success is problematical, while intermediate mischief is inevitable; it can be no difficult matter to find out the genuine deductions of duty and reason and common sense. And are these deductions overturned by setting up the general, vague, indefinite duty of imparting the Christian religion to every country and people, whom the mysterious ordinances of heaven have hitherto deprived of it? For, as all human duties lie within certain lines of expediency and practicability, it is plain, that the alleged duty is destroyed and negatived by the inexpediency and danger of bringing it into action. In these cases, then, it is our business first to inquire, whether morality and right reason prescribe any, and what mode of action; or (which is a still more important question) impose on us the obligation of acting at all? Whether, to put it into a form more developed and precise, the alleged duty of acting is not overpowered by the opposite and antagonist duty of not acting at all? For it would be absurd, in any problem of civil or moral duty, to shut from our contemplation the probabilities of success or failure. It would be worse than absurd to overlook the dangers of the experiment; and of an experiment, which, in this instance, is to be tried on a machine so delicate, so complex, and so easily deranged as our empire in India. This appears to me the point we are to decide; remembering at the same time, that the Hindoo religion is not only to be overthrown, but the Christian planted: and taking care to discover, whether we may not eradicate the religion of India without advancing at all nearer to the establishment of our own: and in so doing, get rid of a system which is beneficial to a certain extent, without being able at last to replace it with a better. The faintest probability of our stopping short of the full accomplishment of our project, of preaching down the Hindoo religion (the first step only in the process,) and getting no further, ought of itself to make us wary and cautious in undertaking it. Neither reason nor history tells us, that the adoption of a new religion is a necessary consequence of the abdication of the old. It is one thing to dispel the charm that binds mankind to established habits and ancient obligations; and another, to win them over to the discipline of new institutions, and the authority of new doctrines. In that dreadful interval, that dreary void, where the mind is left to wander and grope its way without the props that have hitherto supported, or the lights that hitherto guided it, what are the chances, that they will discern the beauties, or submit to the restraints of the religion you propose to give them? What then will have been done? You will have extinguished a system, which, with all its demerits, has been the very foundation of your empire in India. You will have destroyed that peculiarity of national character, that singular contexture of moral properties, which has given you an immense territory, an immense revenue, and 60 millions of subjects; while you will have done nothing more towards the realization of your own schemes, than the destruction of those institutions, that have for ages kept the vices and passions which overrun the western world from that favoured country. Such may be one result of our experiment. The missionaries, it seems, from the papers on the table, have begun at this end of the project. Their efforts have been directed to the pious object of disgusting the natives with their religion, their laws, their customs, and every thing that is venerable and authoritative amongst them.

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* See vol. 25, p. 496.

There is no controversy about ends. No man can be more unaffectedly solicitous than myself for the diffusion of Christianity. I should be undeserving of an audience in a Christian assembly, were I cold or indifferent to its blessings. But there are questions, desirable as it may be to infuse Christianity into India, which will give pause to deliberate minds in attempting it. Have I the means of accomplishing my purpose? If I have not, will not the mere attempt be attended with calamities, that constitute an opposite duty to abstain from it? Not that this is the sort of reasoning which will go down with those who are so hotly engaged in the work of conversion; and who (such is the nature and character of all religious enthusiasm) are little likely to be startled or appalled by the difficulties they will have to encounter, or the miseries they may produce, in the glorious object of making sixty millions of men Baptists or Anabaptists. But, seeing the dangers, and difficulties, and suffering, that must result from the experiment, the conversion of that immense population seems, for the present at least, out of the course of things. It is only through the circumstances that surround him, that Providence deigns to confer with man. For as Providence condescends to act by human instruments and human agencies, it can be no impiety in us, who can calculate only on the efficacy of human means as applied to human objects, to pronounce a purpose discountenanced by so many impediments, and exposed to so many evils, to be out of his destinations. The power of working miracles is not assumed. The conversion of Hindostan by an instantaneous effusion of grace is not expected. Force is disclaimed. Not that there is any great magnanimity in disclaiming force; since no force could be effectually applied to an object so incommensurate with all physical means of obtaining it. If, therefore, it is probable that the mere attempt, though unaccompanied with force, will be both abortive and mischievous, I confess that my understanding is driven into this inference (no doubt a gloomy one), that the mere attempt ought to be discountenanced.

It seems no easy matter, however, to persuade gentlemen of the impracticability of their project; and having, by some rapid process of reasoning, made up their minds to its practicability, they seem to laugh at its dangers. But they are ignorant of the very elements of their experiment; of the raw material they have to work upon; in one word, of the Hindoo mind and character. They appear never to have reflected, that this artificial being, moulded, and fashioned, I had almost said created, by his religious institutions, (and all his institutions are religious ones,) is distinguished by properties, that give him no affinity to the proselytes who crowd their tabernacles and conventicles. They apply to this most singular people the same reasonings that are applicable to mankind in general; wholly unmindful of that deep colour of character which has divided them, almost since the foundation of the earth, from the common family of the world. For the same peculiarity which the philosophical historian attributed to the ancient Germans, might with equal truth be attributed to the Hindoos: "*Propriam atque sinceram, et tantùm sui similem gentem.*" Rendering therefore full homage, as I am disposed to do, to the purity and benevolence of the motives which actuate the advocates for conversion, I am convinced, that had they been sufficiently skilled in the genius and moral constitution of the Hindoos to appreciate the temporal misery which every Hindoo convert must suffer, their humanity would long ago have taken the alarm, and probably dissuaded them from the further prosecution of their scheme. Can it be necessary then to remind them of the stupendous moral effects produced in that country by the division of castes? The loss of caste is the immediate consequence of conversion; and it is the most dreadful ill with which an Hindoo can be visited. It throws upon him every variety of wretchedness. It extinguishes all the wholesome charities and kindly affections. His very kindred desert him. It becomes an abomination to eat with him, or even to speak to him. The hand is accursed that ministers to him. All mankind fly from him, as from an infection. His only refuge from this overwhelming force of misery is death; a solitary, friendless, uncomforted death, amid the scoffs, and scorn, and revilings of his species. I am drawing no fancied picture. The reports of the missionaries themselves have given more than one instance of it. The very few converts, whom they have made among those who are entitled to the privilege of caste, have endured all this: a circumstance that will account satisfactorily, I should think, for this most curious and important fact; that amongst persons of caste, that is, amongst those who essentially are and alone ought to be denominated Hindoos, they have hardly made any converts at all. The great mass of their proselytes, scarcely exceeding eighty in seven years, are drawn from the Chandalâhs, or Pariars, or out-casts; a portion of the population who are shut out from the Hindoo religion, and who, being condemned to the lowest poverty and the most sordid occupations, are glad to procure, by what the missionaries call conversion, whatever pittance they are enabled to dole out for their subsistence. As to the church of Syrian Christians, which has so long subsisted in the province of Travancore, let us be on our guard against the ingenuity with which it is made to form a part of the argument. They are not descendants from the original inhabitants of Hindostan; of course, therefore, they can never be said, in fairness, to have been converted from the Hindoo religion to Christianity. They are the remnant of a church planted there in the early ages of Christianity; where they have remained, without any material increase of numbers, from their primitive institution; tolerated and despised by the successive rajahs. They are an independent community amongst themselves; and are not only too narrowly watched to make converts; but, I believe, from the influence of mutual habitudes and intercourses between them and the community in the bosom of which they are permitted to reside, wholly indisposed to molest them by any unseasonable or indiscreet attack on their feelings or prejudices.

This division of caste has always erected an invincible barrier to the proselytism of the Hindoos. A Gentoo considers the privileges of his caste as exclusive and incommunicable. It is this that imparts to him the highest prerogatives of his nature. Man is not separated by a wider discrimination from the inferior world, than that which the pride and dignity of caste have interposed in that country between the several orders of mankind. He acquires a class of emotions incident to the character that elevates him. He breathes, as it were, a more etherial element. Taught to revere himself by the same standard which secures to him the esteem and reverence of others, he considers the loss, or even the pollution and degradation of his caste, as evils worse than death. The same feelings descend through each successive gradation; each caste cultivating the same spirit of an exclusive character; all of them united in one common sentiment of contempt of the Pariars, or outcasts, amongst whom they class the Christian missionary and his convert; the pastor and his disciple. Some new power, therefore, hitherto undiscovered in the moral world, and equivalent to that which the old philosopher required in the physical, will be requisite to pull down this consolidated fabric of pride and superstition, which has stood, unmoved and undecaying, the sudden shock of so many revolutions, and the silent lapse of so many ages. If you begin with one caste, you have to fight in another against the same host of feelings, motives, and affections, which render place and homage and distinction despotic over the heart of man. Your struggles are only begun when you have converted one caste. They are perpetually to be renewed. Never, never, will the scheme of Hindoo conversion be realized, till you persuade an immense population to suffer, by whole tribes, the severest martyrdoms that have yet been sustained for the sake of religion; to tear themselves from every habit that sways in the human bosom; from the sweets of social communion; the ties of friendship; the charities of kindred; from all that life contains to support or adorn it; and all this—to embrace a new religion proffered them by polluted hands; a religion on the threshold and in the very vestibule of which are planted all the appalling forms of penury, contempt, scorn, and despair:

Vestibulum ante ipsum——
Luctus et ultrices posuere cubilia curæ,
Et metus et male-suada fames, et turpis egestas.

And are the missionaries, whom this Bill is to let loose upon India, fit engines to accomplish the greatest revolution that has yet taken place in the history of the world? With what weapons will they descend into the contest with the acute, the intelligent Hindoo, prepared to defend his religion by reasonings drawn from the resources of a keen and enlightened casuistry, and wielded with all the vigour of a sharp and exercised intellect? Will these people, crawling from the holes and caverns of their original destinations, apostates from the loom and the anvil, and renegades from the lowest handicraft employments, be a match for the cool and sedate controversies they will have to encounter, should the brahmins condescend to enter into the arena against the maimed and crippled gladiators that presume to grapple with their faith? What can be apprehended but the disgrace and discomfiture of whole hosts of tub-preachers in the conflict? And will this advance us one inch nearer our object?

In whatever aspect I view the question, the impracticability of converting India by such means to Christianity looks me in the face. The advocates for the scheme have scarcely favoured us with one argument, that shews it to be practicable. In some of the papers, however, published by the Baptists, there appears a faint historical analogy, from which they infer the probability of success; and a learned and honourable gentleman near me (Mr. Stephen) put it in the shape of an interrogatory to one of the witnesses at the bar. He asked Mr. Graham, "Whether the natives of India were more attached to their superstition, or more under the influence of the brahmins, than our ancestors in this island were to their superstitions under the influence of the druids?" The witness, it may be recollected, very modestly declined speaking of the druids from his own personal knowledge; but expressed himself pretty strongly as to the folly and danger of interfering with the religion of India. Does the learned and hon. gentleman think that there is the slightest analogy between the two religions? The religion of the druids was extirpated from this island by the ancient Romans, because its institutions were too intractable and unyielding, to give them quiet possession of their conquest. But it was not extirpated till their priests were slaughtered, their sacred groves and temples destroyed, and their population ravaged, with every species of bloody and ferocious violence. I advert to the finishing stroke given to that religion in Britain, under Suetonius Paulinus. To make the analogy, however, at all an approximation to an argument, the hon. member is bound also to contend, that the Roman procedure towards the druids is to be followed as a precedent by us with regard to the Hindoos. The hon. member's humanity starts at the suggestion. Why, then, the argument drawn from the analogy is destroyed. But whatever points of resemblance there may be between the two religions, they will be found to furnish an argument against our interference with that of the Hindoos. Those points of resemblance are these: the exclusive character common to both; the domination of the priesthood; the indissoluble and adamantine strength with which the soul and all its faculties were bound to the druidical, as they are now to the brahminical system; the jealousy, with which the druids once preserved, and the Hindoos still preserve, the inviolability of their faith. Why then, if the civilized conquerors of ancient Europe, deeming it expedient to get rid of the druidical superstition, and not, as it may be presumed, ignorant of the most efficacious means of effecting it, found that there was no other mode but extirpation—the matter is settled. The means of extirpating the Hindoo religion are not in our hands: extirpation is out of the question: and we must endure the evil. But here the resemblance stops. The points in which these religions differ, will supply much stronger illustrations (if they were wanted) of the danger and folly of interfering with that of the Hindoos. The superstition of the druids inspired a spirit of resistance to the civil and military yoke of their conquerors. That of the Hindoos makes them the passive, unresisting subjects of theirs. It is of the very essence and nature of the Hindoo religion to extinguish and subdue the spirit of civil resistance. Accordingly, the natives of Hindostan have borne with the most unrepining acquiescence from their Patan, Tartar, and Mahommedan invaders, every shape and mode and alternation of oppression. But neither the Tartar nor the Mahommedan sword could subdue their religion.

Well then, let us survey the ground we occupy, before we advance further. We have a mighty empire in India, from which a great revenue has hitherto been derived, and an exuberant tide of wealth may hereafter flow in upon us; a civil and a military government cheerfully and quietly obeyed by many millions of its inhabitants, disciplined and nurtured to that obedience by the peculiar genius and character of the religion we are anxious to destroy. It is required of us, in defiance of all that experience and reason have taught us, that we should throw away what we have acquired, or at least incur the hazard of losing it, in order to erect a spiritual ascendancy on the ruins of our political dominion. Such, also, are the inconsistencies and contradictions that beset us in this extraordinary discussion, that the very gentlemen (Mr. Grant, and Mr. Thornton) who are the most eager for this evangelical project,—alarmed at the perils that threaten their exclusive privileges, and in defence of those privileges imploring us jealously to shut the door of India, even on those who, being invited thither by commercial enterprize, must have an obvious interest in carrying on a quiet, prudent, and conciliatory intercourse with the natives—feel no scruple to tell us, that there is no danger in opening every port to swarms of missionaries, and hosts of fanatics; men, whose nature and character it is, to consider themselves absolved from all human restraints, and free from all human motives, in effecting the objects of their calling. Nay, the same reasoners, while they would convince us that so fixed and immutable are the prejudices and customs of our subjects in the East, that it is absurd to expect that they will consume our woollen cloths and hardware manufactures, have no compunction, in the same breath, to contend that those prejudices and customs, fixed and immutable as they are, would by no means impede the reception of the coarsest texture of theology, that can be dealt out from the shops of the Anabaptists, or woven in the loom of their fevered and fanatic fancies. It is in vain to tell them, that every European throat will be cut, if the missionaries are encouraged, and the attempt at conversion persisted in. The answer is—These are ridiculous fears; bugbears, to use the phrase of the hon. member (Mr. Wilberforce) that haunt the imaginations of that part of the House, who, having been in India, are the least competent to pronounce on the subject. It savours indeed somewhat of paradox, that we should be disqualified from bearing testimony by the only circumstance that can entitle us to credence. It is our fate, however, to hear things pushed still nearer to the brink of absurdity. For the hon. gentleman, to shew that no danger is to be apprehended from missionaries, assures us that they have carried their zeal so far, as to publish and circulate the most indecent attacks upon the customs and opinions of the natives, and that no commotion has yet followed;—a fact which suggests a strong argument for recalling those who are now in India, or preventing any more from going out; but which is not quite so clear in favour of granting them fresh facilities. The fact itself, however, is questionable. The conduct of the missionaries has already excited much disquietude amongst the natives. The papers on the table, particularly the letters from the Bengal government, shew it. But had they been wholly passive and silent, whilst these persons were reviling their institutions, would it be good reasoning to suppose, that there was no point of endurance beyond which they would cease to be the contemptuous witnesses only of the folly and phrenzy of the missionaries? It is comparatively but yesterday that we became the dominant power in that country. When we had no political ascendancy there, they were not alarmed at the prospect of a religious one. It is not so now. Every other power in India has been gradually absorbed into our own. They can bear that. They are unmoved spectators of your rapid strides to territorial conquest and political power. But when, with all this territorial influence and political power, you begin to make laws, and preach parliamentary sermons about their religion, they will begin to connect your politics and your religion together, and endeavour to shake off the one to secure themselves from the other.

What matters all this to a finished and graduated doctor in the new evangelical academies? He is not disturbed by the prospect of a little mischief. The end sanctifies the means. The people of India are sunk into such gross heathenism; their superstitions are so brutal; their national character is such a compound of fraud, falsehood, perjury, cunning, and I know not what vices, that the duty of converting them takes the lead of every other in importance, and is influenced neither by those times, seasons, or opportunities which regulate and controul the other duties of life. Such is the senselesss cant of the day. I have no scruple in saying, that this cant is founded on the falsest assumptions. I say nothing of the total want of philosophical precision in comprehending the mixed character of an immense population covering an immense territory within the terms of one general national description. But this I will say; that if such is our opinion of our fellow subjects in India, we are unfit to govern them. It is a mischievous hypothesis, corrupting the very fountains of pure and beneficent administration. Hatred and contempt for those whom you govern, must, in the very nature of things, convert your government into a stern and savage oppression. On the other hand, a favourable estimate of the character of this very people (it is a striking passage in their history) softened even the rugged features of a Mahomedan government into a paternal and protecting policy. The emperor Akber, a name dear to Oriental students, under the influence of an enlightened vizier (Abulfazel) who had learned to form a correct estimate of the Hindoo virtues, governed them, as we are told, with such equity and moderation as to deserve and obtain the title, which has alone transmitted his memory to posterity, of "guardian of mankind."

I hope therefore that I heard not aright, when an hon. member (Mr. W. Smith) discoursed of the Hindoos as a people destitute of civilization, and degraded in the scale of human intellect. Is it possible that such things can be imagined? Whence has the hon. member, whose learning in their customs and history I am bound by the courtesy of the House not to call in question, whence has he derived this theory of their moral and intellectual inferiority? Is it in the remains to be traced through that vast continent, of a system of law and polity, which shews them to have been a people abounding in all the arts which embellish life, and all the institutions which uphold it, from an æra long before the dawn of our most venerable establishments, and before the primæval silence of our forests had been broken by the voice of man; professing also the great principles of natural theology, the providence of God, and the future rewards of virtue, before our ancestors had arrived at the rudest elements of a religion? Is it in that habitual government of the passions, that absolute subjugation of the will to the reason, which would shame the Stoic doctrine, and falls little short of that purity and perfection of the Christian discipline which the best of us rather hopes, than expects to attain? Indeed, when I turn my eyes either to the present condition or ancient grandeur of that country; when I contemplate the magnificence of her structures; her spacious reservoirs constructed at an immense expence, pouring fertility and plenty over the land, the monuments of a benevolence expanding its cares over remote ages; when I survey the solid and embellished architecture of her temples; the elaborate and exquisite skill of her manufactures and fabrics; her literature, sacred and profane; her gaudy and enamelled poetry on which a wild and prodigal fancy has lavished all its opulence; when I turn to her philosophers, lawyers, and moralists, who have left the oracles of political and ethical wisdom, to restrain the passions and to awe the vices which disturb the commonwealth: when I look at the peaceful and harmonious alliances of families, guarded and secured by the household virtues; when I see amongst a cheerful and well ordered society the benignant and softening influences of religion and morality; a system of manners, founded on a mild and polished obeisance, and preserving the surface of social life smooth and unruffled;—I cannot hear without surprise, mingled with horror, of sending out Baptists and Anabaptists to civilize or convert such a people, at the hazard of disturbing or deforming institutions, which appear to have hitherto been the means ordained by Providence of making them virtuous and happy.

Where is the evidence to support the bill of indictment which the hon. member has drawn up against the natives of India? Here we are, as usual, treated with general and unmeaning invective. But it seems, that the Hindoos are addicted to perjury; and sir James Mackintosh is cited as an authority, because he lamented, in pretty strong language, the prevalence of judicial perjury, from the numerous instances of it which fell under his own observation, as judge of the Recorder's court at Bombay, —a jurisdiction, by the bye, scarcely exceeding five miles. And what judge in this country has not made the same complaint? But is this a fair sample of the national character of Hindostan? Is it a rational ground upon which criminal judgment ought to be pronounced on the aggregate population of that vast territory? What would be thought of that reasoner on the manners and moral qualities of the people of Great Britain, who, happening to be present at the trial of a horse-cause at Nisi Prius, and hearing twenty witnesses swearing flatly to the soundness and perfection of the animal when he was sold, and as many on the other side swearing that he was spavined or wind-galled and a mass of defects, should jump into the conclusion, that perjury was the general characteristic of her enlightened and cultivated inhabitants? Is it candid, or just, or correct, to dip your hands into the feculence and pollution of a great empire for a specimen of its general character? The Hindoos, like every mixed portion of mankind, are infected with the great and lesser vices, which disfigure human society:—fraud, theft, perjury, and the other offences, which it is the province of law and police to keep down. But is that enough for the hon. gentlemen, who are so intent on the conversion of the Hindoos? Will that chequered state of virtue and crime, which with different modifications is the moral condition of every civilized nation, authorise a wild and visionary attempt to pull down ancient establishments which have struck their root deep into the hearts and affections of a people? At any rate, these revolutionary projectors have a tremendous burden of proof thrown upon them. They are bound to prove that the people, whose habits, laws, and religion they are about to break up, is so far depressed beneath our own level in morals and civilization; so brutalized by their superstitions; so regardless of that universal law of nature which holds together the common confederation of man; so loose from the yoke of manners, and the restraints of moral discipline, and, by consequence, incapable of holding those relations which pre-suppose and require some progress in culture and refinement;—in one word, is in so helpless and savage a condition, as to constitute it a duty on our part to give them a religion, in order to raise them to an equality with the species to which they nominally belong.

But these are reasonings, which however applicable to the savages that roam along the river Niger, or the Caffres and Hottentots who people the south of that continent, are not quite so applicable to the natives of India. They, Sir, are under the guidance of a religious system, favourable in the main to morality and right conduct; mixed indeed with superstitions which dishonour, and absurdities which deform it; but many of which are already worn out; and many will hereafter give way to more enlightened habits of thinking in the progress of that gradual march of human societies, which reason and philosophy tell us is never stationary or retrograde in the affairs of mankind. As to their civilization (it is almost ridiculous gravely to argue the question), let it not be forgotten what colonel Munro, not the least intelligent of the witnesses who have been examined upon the state of India, told us with so much emphasis: that, "if civilization was to become an article of trade between the two countries, he was convinced that this country would gain by the import cargo."* The same witness has distinctly pointed out to us in the Hindoos one of the most infallible indications of refinement which can characterize a cultured people. It is a maxim which history and philosophy have established, that no nation can be barbarous or uncivilized, where the female condition is respectable and happy. That gentleman, among the most striking of the Hindoo characteristics, has enumerated the deference and respect which is paid to the women; the obeisance which usuriously pays back what it receives in the grace and splendour which it throws over social life, and which, producing and re-produced, is at once the parent and the fruit of good institutions. The hon. member for Norwich, however, not unmindful of the obvious effect of that testimony, triumphantly quotes from the Institutes of Menû, the great lawgiver of India, a passage in which I think six cardinal vices are attributed to women: and then he asks us, whether the influence of that religion can be beneficial, when it appears, from such high authority, that the female condition is so despicable and degraded? Those vices were, an inordinate love of finery, immoderate lust, anger, and other propensities, which I will not enumerate. Now, the hon. member appears to me strangely inconclusive in his argument. The lawgiver, like other moral teachers, denounces the frailties and infirmities to which the heart is inclined. Looking into the female bosom, he found what the female bosom, in every state of society, would furnish; a fluttering busy group of vanities, of desires, of passions; the theme of satirists and moral writers in all ages and countries. Pope said, that "Every woman is at heart a rake." Would it not be more than nonsense to adopt it as the criterion of the manners or morals of our countrywomen? But the denunciation of failings to which we are prone by the very law and condition of our existence, is no proof of their undue or excessive prevalence. It is legitimate reasoning to infer the defective morality of a country, from its immoral practices; but not to prove its immoral practices by the moral admonitions against them. It is unfair to infer a debauched and vicious state of female manners, from the precepts of moralists, or the denunciation of lawgivers against female vice and debauchery, or to deduce the existence of the offence from the existence of the propensity. Religion, law, and morality, are barriers between propensities and vices. To say that women are by nature subject to the impulses of lust, is to say nothing more, than that they are subject, by the laws of nature, to an instinct which she ordained for the conservation of the species; an instinct, which,

— "Through certain strainers well refined,
Is gentle love:"——

and against the unhallowed or unlawful indulgence of which the warning of morality and wisdom is wisely interposed. The inference deducible from the passage is not that the morals of the women are defective, but that the system of moral precept is perfect. It shews a pure and finished moral law, which, winding itself into all the labyrinths and recesses of the heart, anxiously shuts up every crevice and avenue through which vice or passion may pollute it. The same observations will apply to the rest of the catalogue. If Menû said that the women of India were prone to anger, does it prove that every woman in India is a scold? But I will dwell no longer on an argument which carries with it its own refutation.

The natives of India are a sober, quiet, inoffensive, industrious race; passive, courteous, faithful. I fear, were we to descend for an illustration of their national character to the lowest classes of their population, that an equal portion of our own countrymen, taken from the same condition of life, would cut but a despicable figure in the comparison. To be sure, we have heard much declamation on the immoral exhibitions of the dancing girls; a class of women dedicated most undeniably to prostitution, but, at the same time, not to shameless open prostitution, and by no means obtruding themselves upon public observation. Yet, in striking the balance of national character, it would be rather unjust to overlook the disgusting spectacles of vice and brutality exhibited in the streets of the metropolis of this country, from which we are to send out missionaries to reform the dancing girls of Hindostan; spectacles, which choke the public way, and shock the public eye with all that vice has in it of the loathsome, polluted, or deformed. Is it uncandid to observe, that these victims of depravity afford at home, at our own doors, and under our own eyes, a much more ample harvest for the spiritual labours of our evangelical reformers, than that which they are seeking abroad? With what colour of reason, or good sense, or consistency, can we send our crusades against the same vices in distant countries, with which our own is overrun? With what face can we impute those vices to their defective morality or pernicious superstitions, while, in the very bosom of Christendom, among the most polished states and the most enlightened communities, they are shooting up with still ranker luxuriance? There is, however, one relation of life, on which all its comfort and most of its security depends, and in this the Hindoos are punctiliously faithful; I mean that of servants. I cannot help demanding the testimony of those who have resided in India, to this fact; a fact, which pleads for them, I should hope, with the more efficacy, from the dreadful occurrences which have of late destroyed the confidence, and impaired the safety of that most important of the social connexions in this country. You entrust your servants in India, without apprehension, with money, jewels, plate. You sleep amongst them with open doors. You travel through remote and unfrequented countries, and your life and property are safe under their protection. Can all this be the fruit of a superstition, which morality and right reason require us to extirpate, as a nuisance and an abomination? I know not, whether the Hindoo virtues are the offspring of their religion, or their nature. Those virtues have been remarked by all who have resided there. They will not be denied, but by those, in whom a selfish and fanatical pride has extinguished every spark of charity or candour. But their religion, imperfect as it is when compared with the purer morality and more efficient sanctions of our own, must not be excluded from the influences which have moulded the Hindoo character. Their sacred books unquestionably contain the leading principles of morality imparted in all the varied modes of fable, apophthegm, and allegory, and clothed in the characteristic graces of oriental diction. The duties of conjugal life, temperance, parental affection, filial piety, truth, justice, mercy, reverence for the aged, respect for the young, hospitality even to enemies, with the whole class and category of minor offices; these are not only strongly enforced, but beautifully inculcated in their vedas and purahnas.

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* See Vol. 25, p. 775.

The immolation of widows, however, on the funeral pile of their deceased husbands, and the dreadful custom of infanticide are made the principal charges in the hon. member's bill of indictment against the Hindoos. As to the former practice, it is right to observe, that it is enjoined by no positive precept of the Hindoo religion. On the contrary, one of the most authoritative of their sacred texts declares, "that a wife, whether she ascends the funeral pile of her lord, or survives for his benefit" (that is, to perform certain expiatory ceremonies in his behalf), "is still a faithful wife." I cite from the text of Mr. Colebrooke's Digest of the Hindoo law. It is, in truth, a species of voluntary martyrdom, meritorious, but by no means obligatory. Shocking as it is to the moral taste, I know not, whether it is strictly chargeable on the Hindoo religion. It is a species of overstrained interpretation of its duties; and the offspring of that fanaticism which will inevitably grow up, and has more or less grown up, under every system of religion. But let us not look at the frequency of the sacrifice abstractedly from the immense population of India. For it is not a correct mode of making the estimate, to take the number of these immolations in one particular province, and then multiply them by the whole extent of India; a criterion, by which Mr. Chambers has unfairly computed their prevalence. In many provinces instances of this superstition have never, in others very rarely, happened. But it may safely be affirmed, that the custom itself is wearing away even in the northern provinces. Yet conceding, to their fullest extent, the statements of those gentlemen who have given us such warm pictures of the horrors of this dreadful rite, the evil could not, with any precision, be attributed to the Hindoo religion. It may be an erroneous interpretation of its ordinances, an aberration from its principles, but by no means a necessary consequence from its precepts. What would be said of the candour and fairness of that enemy of the Christian faith, who should array against Christianity all the absurdities, nay, the cruelties practised by persons calling themselves Christians, in obedience, as they imagine, to its ordinances? With what affecting pictures might he not embellish the controversy? What dark and gloomy shades might he not throw over that pure and perfect dispensation of happiness to man! Might he not, for instance, describe the horrid sacrifice, still practised in the greater part of Christendom, which dooms youth and beauty to the walls of a convent? With what nice strokes of art might he not describe the lingering torments of that living death, compared to which the flames which consume the Hindoo widow, are almost mercy and benevolence itself? How might he not dilate upon the sufferings of the victim, as all the scenes of youth and the visions of hope first recede from her eyes; when the feverish devotion, which lifted her for a while above the world, begins to subside, and all its beloved scenes of friendship, of paternal endearment, its loves, its gaieties, throng again upon her remembrance? I know the argument, with which a Protestant reasoner would defend his faith. We have reformed all this. We have brought Christianity back to its original purity. And is the Hindoo, in whose religious code the self-devotion of the widow is no more to be found, than the dedication of nuns to celibacy and confinement is to be found in the gospel—is he to be denied the benefit of the same argument? The same kind of reasoning is applicable to the other crime, that of infanticide, on which the honourable member (Mr. W. Smith) also enlarged. So far from its being an injunction of the Hindoo religion, it is strongly inhibited by their law. Nay, the horror of this practice seems to have been so present to the mind of the law-giver, that it is the standard both of the guilt and punishment of acts, which have the remotest tendency to prevent the birth of the offspring. For it is declared by Menû, that a woman who bathes immediately after conception, commits a crime equal to infanticide. Infanticide did indeed prevail in one or two provinces, and superstition and ignorance clothed it in the garb of a religious duty. But by what legitimate reasoning can a practice be charged on their religion, which that religion has not only not enjoined, but absolutely inhibited; and which so far from being prevalent through Hindostan, (as it has been most unfairly stated,) has scarcely been heard of, but amongst the inhabitants of a very few provinces, bearing scarce any proportion to the general population of the country? Granting, however, the existence of the evil, are there no means of subduing it, or of bringing a people back to the instincts of nature and of affection, but by letting loose amongst them a description of reformers, who will in all probability drive them into a more obstinate adherence to the very crimes and errors they pretend to correct? The evil, however, has been extirpated, and without the aid of missionaries, by Mr. Duncan, the late governor of Bombay, in one of the countries under his government; and lord Wellesley, in the same manner, abolished the unnatural custom of exposing children at the island of Sauger. How did they proceed? They proclaimed to the natives, upon the authority of their own pundits and brahmins, that the practice was unlawful, and as much at variance with the injunctions of the Hindoo religion as with universal law and natural reason; at the same time denouncing the punishment of murder on those who should hereafter commit the offence. Here then is an instance in which that religion inhibits and corrects the very evil of which it is supposed to have been the parent.

So much then for the vices of the Hindoo character, and the brutal superstitions (such is the polished eloquence of the London Tavern) of the Hindoo religion. But, Sir, it is a singular symptom of this epidemic enthusiasm for the conversion of the Hindoos, that missionaries are to be sent out of all sects and persuasions and opinions, however diversified and contradictory. No matter what sort of Christianity is imparted, so that it goes by that name: Calvinists, Unitarians, Methodists, Moravians. Provided India is supplied with a plentiful assortment of sects, no one seems to feel the least solicitude whether the Christianity that is to be taught there, be the genuine language of its author, or the dream of mysticism and folly. I own, that to me it does not appear quite a matter of indifference, if missionaries must be sent out, what the doctrines are, that they are to teach. I am disposed to think, that Christianity may be imparted in such forms as to render it something more than problematic, whether it would be an improvement on the religion it supplanted; that it may be so defiled and adulterated in the vessels from which it is administered, as to lose all its restoring and healthful virtues. Are there not nominal systems of Christianity, which are at an equal distance from its primitive perfection with the very superstition which we are striving to abolish? It might, therefore, become an important investigation, whether the blessings of a corrupted Christianity so far outweigh the evils of a tolerably enlightened heathenism, as to make it worth while to exchange that which is appropriately Hindoo, for that which, after all, is not Christian. For instance, if a Christianity is sent out to them, attributing to the beneficent Author of nature the same morose, capricious, revengeful passions which agitate the human tyrant, but with infinity to his power, and endless duration to his inflictions; if it was the primary tenet of that doctrine that the same Being had made a fanciful and arbitrary destination of a large portion of his creatures, without blame or delinquency, nay, before their birth, to everlasting misery; and to have as fancifully and capriciously destined the rest to an eternal happiness, unearned by one real merit, or one virtuous aspiration;—and if, in this gloomy creed, an assent to mystical propositions was the chief claim to salvation, while it pronounced the purest and most exalted morals to be equivalent to the most abandoned wickedness;*—reason and common sense might be allowed to throw out a few scruples against the subversion of the established morals or theology of India, however absurd or superstitious, if such was the system by which they were to be superseded. Suppose, then, that the missionaries of this persuasion were to establish their creed amongst the natives of Hindostan. It is obvious that they will have lost all the excellencies of the Hindoo system; but who will say that they will have got the advantages of the Christian? Compute their gains. Amongst other prominent peculiarities of their religion, its severe and inviolable prohibitions against the use of intoxicating liquors will have been overthrown. It is scarcely possible to estimate the complete revolution, which this single circumstance will produce in their manners and morals. It will destroy every shade and tint of their national character. It will overturn the mounds, by which they have been secured from the whole rabble of vices, which scourge the western world; vices, of which drunkenness is the prolific parent, and which render the mass of the population of our own country the most profligate and abandoned in Europe. It is not that other religions do not prohibit this species of intemperance; but the oriental are the only ones that render it impossible. I really believe, that if the foundations of your power in India were accurately explored, you would find that it was to this national peculiarity (which must be destroyed, if you disturb the sanctions of their law and their religion) you chiefly owed the discipline of your native army, and the obedience of your native subjects. In exchange for this, they will have been initiated into the mysteries of election and reprobation. I leave it to those who are versed in moral calculations, to decide, what will have been gained to ourselves by giving them Calvinism and fermented liquors; and whether predestination and gin will be a compensation to the natives of India, for the changes, which will overwhelm their habits, and morals, and religion?

Can we overlook, also, the difficulties which will be interposed to the progress of conversion by the jarring and contradictory doctrines of the missionaries themselves? For there seems to be no kind of anxiety to introduce into India that unity of faith, on which the mind of man may find settlement and repose. The church of England is to send out no missionaries at all. She is provided indeed with her bishop and her archdeacons; and is to loll, in dignified ease, upon her episcopal cushions. But the supporters of the clause have reserved all their zeal for the sectarians. The whole task of conversion is abandoned to them; and the parliament of Great Britain is called upon to grant new facilities to the diffusion of dissent and schism from every doctrine which the law and the civil magistrate have sanctioned. It is a most ingenious scheme for the dissemination, on the widest scale, of every opinion and dogma that is at variance with the national church. But is it the best way of communicating Christianity to a people hitherto estranged from its blessings, to start among them so many sects and doctrines? You will have Calvinists, Independents, Presbyterians, Moravians, Swedenborgians, Unitarians, and other tribes and denominations. It is not, of course, proposed to give them an eclectic Christianity composed of a little of each; or a piebald, incongruous, patchwork Christianity, that is to combine all the varieties into which the Christian world is divided. Has it, however, never occurred to these gentlemen, that although schisms and sects may, and in the nature of things must, arise subsequently to the establishment of a new religion, it is in vain to think of beginning a religion with these contrarieties and divisions? The Hindoo may fairly enough be permitted to ask: "Gentlemen, which is the Christianity I am to embrace? You are proposing to us a religion which is to supplant the rites, the doctrines, the laws, the manners of our fathers; and you yourselves are not agreed what that religion is. You require us to assent to certain mysteries, of an incarnation, a miraculous conception, and to other tenets, which some of you hold to be of the vital essence of your creed. But others amongst you deride these mysteries: and the very passages in your Shasters, to which you refer for the testimony of your doctrines, they tell us are forged and interpolated." Surely such perplexities as these must create doubts and distractions, which will frustrate the whole scheme of conversion.

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* These consequences have been unanswerably traced to the Calvinistic scheme by the bishop of Lincoln, in his learned Refutation of Calvinism, p. 258.

It will be perceived, that I have chiefly confined my remarks to the Hindoos, who, in all questions relative to India, must occupy the principal share of the discussion. They will of course apply with equal force to the Mahommedans. Bernier, who travelled into India during the Mogul government, who has been cited as an authority in this debate, and whose writings were admitted by the House of Lords, on the trial of Mr. Hastings, as good evidence of oriental customs, and who, besides, evinces no inconsiderable portion of zeal for the introduction of Christianity into the East, having witnessed the efforts of the Capuchin and Jesuit missionaries at the courts of Delhi and Agra, speaks most despairingly as to the practicability of converting the Mussulmaun population. He cautions his readers against the stories that other travellers had spread of the progress of Christianity in the Mogul states, and against too easy a credulity in the facility of diffusing it. The sect, he says, (I quote from memory) is too libertine and attractive to be abandoned. It is the necessary tendency of doctrines which have been propagated originally by the sword, afterwards to spread of themselves; nor do I see, he adds, that they can be overthrown or extirpated, but by the means by which they have been propagated—unless by one of those extraordinary interpositions of heaven, which we may occasionally look for, and of which striking appearances have been exhibited in China and Japan. Now, Sir, need I refer the House to the result of the attempt in China and Japan, which M. Bernier did not live to witness?

But I am aware, that these reasonings would be entitled to little weight, if there were not absolute peril in the attempt. Perhaps any kind of Christianity, even the gloom of Calvinism, or the impoverished and scanty creed of the Unitarian, would be an improvement on the ancient religion of India. That, unfortunately, is not now the question. It is one of the necessities of human affairs, that the choice of man is for the most part placed betwixt evils. The preservation of an empire is delegated to us. No matter how it was obtained. It is in our hands. Of all tenures, it is the most delicate. The threads and ligaments which hold it together are so fine and gossamery, that one incautious movement may snap it asunder. It is a chain which no artificer can repair. But we hold it on this simple condition—abstinence from all aggression on the religions of the country. If the existence of those religions be an evil, it is one which we must endure. The alternative is the loss of our empire. It is idle casuistry to set ourselves about gravely balancing and computing these evils, as if they were arithmetical quantities. It is in truth, only with the political question, that the House ought to concern itself. Political considerations in this place have an acknowledged ascendancy. All the dignity of our character, and the efficiency of our function, would be destroyed, if our theology was admitted into a partnership with our policy; and religious enthusiasm, the most intractable of all passions, should disturb us in our legislative duties. In this view of the subject, it is enough for us, that the religious revolution which is proposed, involves in it political changes which must destroy our Eastern establishments. Without tracing all its consequences it is sufficient to keep before our eyes, this direct and primary one; the abolition of castes, that astonishing and singular institution, which compressing the restlessness of ambition and the impatience of subjection by the united weight of an irreversible law and an inveterate habit, gives you sixty millions of passive, obedient, industrious citizens, of whom the great mass are, by that very institution, which you propose to abolish, irrevocably disarmed, and destined to the pursuits and arts of peace. It is enough for that practical, sober wisdom, which has hitherto presided over our councils, that the overthrow of such an institution would let loose all the elements of strife, and discontent, of active and robust rebellion, before which your dreams of empire, of commerce, of revenue, would be scattered as vapour by the blast. I ask you, then, whether it is worth while to make an attempt, which must be subversive of our existence in India? The moral obligation to diffuse Christianity, binding and authoritative as it is, vanishes, when it is placed against the ills and mischiefs of the experiment. There never was a moral obligation to produce woe, and bloodshed, and civil disorder. Such an obligation would not exist, were the wildest barbarians the subjects of the experiment. But, when, in addition to these considerations, which are sanctioned by justice, and policy, and virtue, it is remembered, that the people we are so anxious to convert, are, in the main, a moral and virtuous people; not undisciplined to civil arts, nor uninfluenced by those principles of religion which give security to life, and impart consolation in death; the obligation assumes a contrary character; and common sense, reason, and even religion itself, cry out aloud against our interference. I shall therefore vote for the amendment.

I am sensible, Sir, that the matter is not exhausted. But I feel too deeply the indulgence of the House, to abuse it with any farther observations on a subject, which unfolds itself as I advance, and to which I feel, the more I think of it, my own incompetence to render even imperfect justice.

Mr. *Wilberforce** rose for the purpose of making a few observations in answer to the speech of the honourable member who had just sat down.

With the well-founded claims (said Mr. Wilberforce,) which, on a former evening, I stated the missionaries to have to your respect, it will not, I trust, be very injurious to them, to have this night received in this House the contemptuous appellations of Anabaptists and Fanatics. For my own part, I have lived too long to be much affected by such epithets, whether applied to others or to myself. But I confess, Sir, that it was not without some surprize, as well as concern, that I heard these missionaries spoken of in a style like this, by a gentleman whose eloquent exhibition this day, certainly indicates a liberal education and an instructed mind. It has been truly stated by perhaps the greatest philosopher as well as one of the ablest writers of the present day*, that to have the mind occupied with little blemishes where they are associated with real and great excellencies, is by no means an evidence of superior intellectual or moral acuteness or refinement, but that it rather indicates a contracted understanding, and a vitiated taste. And I confess, Sir, that if there had been any little foibles or infirmities (of none of which however I am aware) in men of such exalted merit as those of whom I am now speaking, it might have been expected that the eye of every generous observer would be so filled and captivated with their excellencies, as to have no power, no leisure, to perceive their defects. But what shall we say? What estimate shall we form of the judgment of some of our opponents in this cause, and of their candour towards those who support it, when in the want of any defect in character, or even in conduct, to be imputed to the missionaries, such terms as Anabaptist and Fanatic are applied to them. It has justly been said to be a sign that men begin to find themselves lacking in arguments, when they begin to call names. But I own, Sir, I should have conceived, that let the consciousness of that want have pressed ever so severely, the missionaries would have been shielded against such attacks as these, from any assailant of a cultivated mind, by their having conceived, and planned, and in the face of much opposition undertaken, and so long persevered in carrying on, at a vast expence of time and study and money, such dignified, beneficial, and disinterested labours.

Anabaptists and Fanatics! These, Sir, are men not to be so disposed of. Far different was the impression which they produced on the mind of the marquis Wellesley; far different the language he has bestowed on them. While in India, he patronised their literary labours; and very lately, in another place, publicly and on a solemn occasion, after describing, with a singular felicity of expression which must have fixed his words in every hearer's memory, their claim to the protection, though not to the direct encouragement of government, he did them the honour of stating, that though he had no concern with them as missionaries, they were known to him as men of learning. In fact, Sir, the qualifications which several of them have exhibited are truly extraordinary. And while the thoughts of a Christian observer of them, and of their past and present circumstances, would naturally dwell on that providential ordination by which such uncommon men had been led to engage in that important service, and would thence perhaps derive no ill-grounded hope of the ultimate success of their labours; even a philosophical mind, if free from prejudice, could not but recognize in them an extraordinary union of various, and in some sort contradictory, qualities;—zeal combined with meekness, love with sobriety, courage and energy with prudence and perseverance. To this assemblage also, I may add another union, which, if less rare, is still uncommon,—great animation and diligence as students, with no less assiduity and efficiency as missionaries. When to these qualifications we superadd that generosity which, if exercised in any other cause, would have received as well as deserved the name of splendid munificence; and when we call to mind that it is by motives of unfeigned, though it had been misguided, benevolence, that these men were prompted to quit their native country, and devote themselves for life to their beneficent labours; is there not, on the whole, a character justly entitled at least to common respect? And may I not justly charge it to the score of prejudice, that the hon. gentleman can here find only objects of contempt and aversion? For my part, Sir, I confess the sensations excited in my mind are of a very different kind, and I would express them in the words, if I could recollect them with accuracy, which were used by a learned prelate (bishop Hurd) on a similar occasion, by acknowledging, that I can only admire that eminence of merit which I despair myself to reach, and bow before such exalted virtue.

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* From the Original Edition, published by J. Hatchard, Piccadilly.

* Mr. Dugald Stewart.

But of all the ground that has been taken by our opponents, that on which they appear to conceive themselves the strongest is, the mutiny at Vellore. On no subject has there ever prevailed more gross, and, among our opponents, more obstinate misconception. For I hesitate not to declare, that this sad transaction, fully reviewed and fairly considered, will shew, like the circumstance which I lately mentioned of the obnoxious Mahometan pamphlet, that the natives are very far from being as jealous and resentful of the most distant approaches towards any interference with their peculiar institutions as our opponents have represented them to be. Let me however entreat you always to bear in mind, that it is no rude attack on their native superstitions which we are meditating, but only that prudent and gradual communication of light and truth which will cause the natives themselves spontaneously to abandon them.

The leading particulars of the Vellore mutiny are so generally known, that I need not give you the pain you would suffer from hearing a fresh recital of the melancholy detail. Indeed, from motives of delicacy towards justly respectable individuals, I wish to forbear entering minutely into particulars; the most detailed inquiry into which, however, would only serve to strengthen my conclusions.

But before I proceed to touch lightly on this melancholy subject, permit me to remark, that it has been the common infirmity of our species in all uncivilized and uneducated nations, to overvalue their own peculiar customs and institutions, and sometimes to be devoted to them with such an excessive fondness of attachment, that a degree of power which has been sufficient to sway the people at its will in more important matters, has been forced in these to feel and acknowledge its own inferiority. Peter the Great, we know, in all the plenitude of his power, in vain endeavoured to force the Muscovites into the shaving of their beards; and the page of history furnishes other instances which inculcate the same lesson. But where the force of religion also intervenes, the principle becomes still stronger and more efficient. Indeed, in addressing an assembly so enlightened as this, I scarcely need remark, that men in general, in proportion as they have been uneducated and uninformed, have commonly been found to feel an extravagant attachment to the exterior symbols and observances of their various systems of religion; and, in truth, that the religion of the bulk of mankind has too often consisted altogether in these exterior ceremonies. Hence it would be the part of true wisdom, and I am sure, for I say it on the authority of Scripture, of true Christianity also, in communicating to any people the principles of a purer faith, to leave them in quiet possession of these petty distinctions, instead of attacking or outraging them, reasonably trusting, that when the judgments of their converts should be convinced of the falsehood of their old principles, these distinctive characteristics of them would drop off of themselves.

If this be true, nay, indisputable reasoning, verified by the experience of all times and all countries, what a comment on them shall we find in the proceedings which led to the fatal mutiny at Vellore! Though in the progress of that unhappy affair, the deposed family of Tippoo Sultan were found very naturally to have fomented the disaffection which prevailed, yet I have the highest authority, that of the governor of Madras himself, confirmed also by the deliberate judgment of the Court of Directors, pronounced after a full investigation of the whole business, for saying, "that whatever difference of opinion the dispute respecting the more remote or primary causes of the mutiny may have occasioned, there has always prevailed but one sentiment respecting the immediate causes of that event. These are, on all hands, admitted to have been certain military regulations, then recently introduced into the Madras army." These regulations were, the ordering "the sepoys to appear on parade with their chins clean shaved, and the hair on the upper lip cut after the same pattern; and never to wear the distinguishing marks of caste, or ear-rings when in uniform," and "the ordering, for the use of the sepoys, a turban of a new pattern."*

Such were the new regulations; and how were these obnoxious regulations enforced? How was the rising discontent treated which these changes began to produce? Was it by argument and persuasion, the only weapons in the missionary armoury? The refractory non commissioned officers were ordered to be reduced to the ranks; nineteen of the ringleaders (privates) were condemned to receive severe corporal punishment, and to be dismissed the Company's service, as turbulent and unworthy subjects; the greater part of these offenders, shewing strong signs of contrition, were indeed forgiven; but the sentence was executed in front of the garrison on two of them, each receiving 900 lashes. Can we wonder at the sequel? Though the flame appeared for a while to be smothered and suppressed, the fire burnt in secret with only the greater vehemence. Can we be surprised that secret oaths began to be administered, and secret engagements to be made? While to these religious discontents, combined with all those bad passions which raged the more violently because they durst not shew themselves but raged in secret, was superadded a political cause of powerful efficiency. The adherents of the deposed sovereigns of Mysore, who were in custody in that part of the country, fanned the rising flame, and used every method for increasing the general discontent. For a time the volcano burnt inwardly, until at length, on the 10th of July, the fatal eruption took place, the dreadful circumstances of which are too well known to need enumeration. Can we wonder, Sir, that such causes as I have stated should have produced such effects? That which may more justly excite our wonder is, that such discontents as these were so easily quieted. But so it was; for, though the obnoxious regulations, strange to say, being still persisted in, a repetition of mutinies, followed perhaps by the same dreadful consequences, appeared likely to ensue, yet no sooner were the offensive alterations abandoned, than all was order and obedience. "About the 21st of July the same regulations were ordered to be introduced in the subsidiary force at Hydrabad, when the turban, the orders respecting the marks of caste, ear-rings, and whiskers, threw the whole of that force, amounting to 10,000 men, into the utmost disorder. They resolved not to submit to the new regulations, and every thing was ripening for an open revolt, when by the revocation of the orders the tumult was instantly allayed, and the troops resumed their obedience." "The tranquillity," says the governor of Madras, "which at that place instantaneously followed a revocation of the orders, sufficiently marked the true cause of disaffection. The revocation, as I have been assured by an eye-witness, operated on the troops with the suddenness and efficacy of a charm.*"—That when the troops were on the very point of breaking out into open mutiny, the revocation of the obnoxious order should in a moment calm the storm, is a decisive proof that the men who in such circumstances could at once hear and obey the voice of reason, were men of well-disposed and temperate minds, who had been slowly and with difficulty urged into resistance, rather than that they were men of the quick and eager, and irritable spirit which the natives of India are alleged by our opponents to display whenever their peculiar opinions and institutions are ever so temperately opposed.

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* It is due to the highly respectable officer, who was at that time first in command in the Carnatic, to state, that he appears to have been misled by the erroneous judgment of some officers of long experience in the Indian army, as well as (in the instance of the new turban) by a Court of Inquiry, into conceiving that no bad consequences would result from the new regulations; and having once commanded them to be introduced, it became a matter of extreme doubt and difficulty to decide whether it would be best to retract or enforce the orders.

And now, Sir, I have stated to you from the first authority the nature and causes of the Vellore mutiny; and, in the first place, may I not ask, if there was ever any attempt more atrociously unfair than to charge that event on there having been a greater number of missionaries than before, or on any increased diligence in the circulation of the Holy Scriptures? Yet, strange to say, such is the force of prejudice even in sagacious and honourable minds, that to these causes it has been in a considerable degree attributed.* To disprove this assertion I might refer even to military authority, from which it would appear that there had been no such increased measure of attention to the propagation of our religion in that part of India, as to have had any share whatever in the production of the effect. "In no situation," says the respectable officer who was then commander-in-chief of the forces under the Madras government (general sir John Cradock), "have so few measures been pursued by British subjects for the conversion of the people to the religion which we profess. No Englishmen have hitherto been employed on this duty in the provinces of the peninsula; and from the almost total absence of religious establishments in the interior of the country, from the habits of life prevalent among military men, it is a melancholy truth, that so unfrequent are the religious observances of officers doing duty with battalions, that the sepoys have not, until very lately, discovered the nature of the religion professed by the English."*

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* Though for many reasons I wish not to enter more particularly than is absolutely necessary into the various circumstances which followed and were connected with the Vellore mutiny, yet in justice to the great cause for which I am contending, it is fit that I should state, that after the Vellore mutiny, an undue and unreasonable degree of suspicion and distrust prevailed for some time throughout all that part of India. This was naturally produced by the suddenness of the explosion, combined with a consciousness that it was commonly supposed that there had been a great if not a faulty want of vigilance and attention to various circumstances which preceded its actually breaking out, and ought to have suggested the necessity of precautionary measures for preventing that catastrophe. "Till that period," says the governor of Madras, "the confidence of the European officers in the affection of their sepoys had been literally unlimited, and indeed found more than its justification in a fidelity which had stood the proof of a series of years, and of a vast variety of fortune. In the midst of this security a mine was sprung. The mutiny at Vellore overthrew all reliance on received principles, and produced a violent though not unnatural transition from the extreme of confidence to that of distrust. The officers were tortured by the conviction of a general plot; and, from the detached manner in which the Indian troops are cantoned, found themselves left to the mercy of traitors. All was suspense and horror; and in one instance, the agony of these emotions actually ended in insanity."

The noble writer himself illustrates the state of mind of which he is speaking, by another still more general and more lasting delusion, the Popish Plot. "The progress of the alarm created by the apprehension of the Popish Plot in the reign of Charles the Second, as described by Hume (vol. 6, p. 275), corresponds to a degree of curious exactness with the public feeling at Madras. Hume writes, 'While in this timorous and jealous disposition, the cry of a 'plot all on a sudden struck their ears. 'They were wakened from their slumber; 'and, like men affrighted in the dark, took 'every shadow for a spectre. The terror 'of each man became the source of terror 'to another. And an universal panic 'being diffused, reason and argument, and 'common sense and common humanity 'lost all influence over them.'" These generally prevailing apprehensions very naturally led to measures, which might have produced the very worst consequences if the native troops had been less attached to us at heart than they really were.—Many useful reflections, and of a nature highly favourable to our cause, will be suggested to the considerate mind by the preceding statement of lord William Bentinck. I will only put it to every unprejudiced mind to declare, whether the above transactions do not account for the prevalence of a somewhat morbid degree of sensibility in many both of the civil and military gentlemen of India and their connections, when the probability and amount of the danger of interfering with the religious opinions of the natives are in question. That danger may perhaps have been estimated at too low a rate, and have been too little regarded, previously to the Vellore mutiny. If so, nothing can be more natural than that overweening confidence should be succeeded by feelings of a contrary nature. We all know the proneness of the human mind to pass from one extreme to its opposite.

* It is clearly proved in a pamphlet, written by lord Teignmouth, and published in 1808, on the practicability, duty, and expediency of endeavouring to diffuse

And now, Sir, let me again ask you, after your having heard this brief account of the unhappy transactions connected with the Vellore mutiny, and I will confidently put the question to every unprejudiced mind, whether they afford any reasonable foundation for the inference which has been so precipitately drawn from them, that the morbid irritability of the natives in all that concerns their peculiar opinions and institutions is so great, as to render it infinitely dangerous to endeavour, even in the most temperate and guarded manner, to propagate among them a purer system of religion and morals. Be this however as it may, you will at least see, I am confident, and I beg it may be carefully kept in mind, that the persuasion of this morbid irritability did not exist in the minds of our military officers, when they issued their new regulations. Those ordinances rather indicated a persuasion of a directly opposite sort;—that the natives were, even in their peculiar usages, so patient of provocation as to be very tardily and with great difficulty roused into resistance. But have we no reason to believe that this last impression, rather than that which now possesses the minds of our opponents, prevailed among the civil servants of the Company also, till their views were lately changed by their extravagant dread of missionaries? For has not my hon. friend (Mr. W. Smith) stated to you an incident which is decisive to this point; that they were not afraid of seizing the car and the idol of Jaggernaut himself for the payment of a deficient tribute? And as my hon. friend truly remarked, are we, after this transaction, to hear with patience, men, who in the way of business, when the raising of some paltry tax was the object in question, could treat thus contemptuously the most sacred religious usages of the natives, and that in the very moment and circumstances in which the insult would be most keenly felt:—can we, I repeat it, with patience hear the same class of men speaking the language we now hear, of the tender sensibility of the natives, in all that concerns their religious opinions and practices, being such, that our opposing them even by argument and persuasion, would be too hazardous to be attempted; and this, when the object in view is no less than that of rescuing sixty millions of our fellow-subjects from the lowest depths of moral degradation? There is a grossness of inconsistency here which would be beyond all precedent ridiculous, if the serious effects to be apprehended from it were not such as to excite in us the graver emotions of indignation and astonishment. I have dwelt the longer on the Vellore transactions, because I am convinced that, though most groundlessly, they have operated very

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Christianity throughout India, that there had been no increase in the numbers of the missionaries or of the translations of the Scriptures.

* It is right to state, that this neglect of the common offices of religion was by no means chargeable on the military gentlemen themselves; and to the honour of the military character it should be stated, that general Macdowall addressed a letter to the Madras government for the purpose of effecting a reform in that particular. In this letter he stated as his opinion, that the indifference manifested by the European inhabitants of India in the adoration of the Supreme Being, which was ascribed to the want of places exclusively appropriated for divine service, was so far from being favourable even to our political interests, that the constructing of convenient chapels at a moderate expence, at all stations where European troops might probably be quartered, would render the British character more respected by the natives, and would be attended by no evil consequences.

powerfully in producing, in the minds of many well-disposed persons, strong prejudices against the question for which I am now contending.

But the fair statement of these Vellore transactions, combined with the seizure of Jaggernaut and his car, will by no means have produced its just and full effect, if, besides dashing to the ground that superstructure of unjust prejudices which has been raised on the basis of this particular incident, it does not also contribute powerfully to strengthen the persuasion, which so many other circumstances concur to produce in us, that our opponents are absolutely run away with by their prejudices and prepossessions on this subject of Christianizing, if for brevity's sake I may so term it, the natives of India. In every controversy, it is highly important to be furnished with a standard, by which to judge of the soundness and correctness of the reasonings of the contending parties respectively. Now it fortunately happens, that in the Vellore business, on which our opponents have rested so much of their case, we are able to ascertain on what foundations they ground their opinions, to discover from what premises they draw their conclusions; and, as in this instance, in which that foundation and those premises can be scrutinized, we plainly see, that their opinions and conclusions are altogether unwarranted, we may fairly conclude it to be highly probable, that in other cases also, in which we have not the same opportunity of closely examining the grounds of their persuasions, those persuasions are equally unwarrantable. In short, Sir, our opponents shew us, that though, in other cases, men even of superior understandings and intelligence, we ought, on this subject, to except against their authority, because they are not so much under the guidance of their reason, as of their passions and their prejudices. Hence, like all men who are under the influence of prejudice, though otherwise reasonable and intelligent, they draw conclusions from slight and insufficient premises; they shut their eyes to unquestionable facts, and are led into gross errors and inconsistencies. In truth, we see good reason to suspect, that when this contest commenced, our opponents were almost wholly unacquainted with the subject; that their minds were never called to it, till it had become a strongly-contested question, in which, as men are apt to do, they then took their side from the influence of their preconceived opinions.

But, Sir, as if to do away every remaining doubt which might still adhere to the most apprehensive minds, respecting the reasonableness of the alleged danger of our endeavouring, even temperately and cautiously, to enlighten and improve the natives of India, we are happily furnished with some particular instances in which the pernicious institutions of the natives have been combated and overcome. Indeed, the many improvements we have introduced among them, whether in our civil, judicial, financial, or military system, are all examples of this kind; for in all these we had to contend against that formidable principle of unchangeableness, which attaches to all the Indian institutions, and has been supposed to indicate their sacred source, and to forbid our presuming to question their wisdom or expediency. But there are two remarkable instances of our successful endeavours to root out inveterate and pernicious practices, which from their being complete within themselves, and being therefore more detached than those which are parts of a large and complicated system, may be more advantageously brought under our review. For a more minute detail of the cases I am about to lay before you, I refer to the papers on the table.

In the first of the instances which I am about to mention, I am happy to state, that the benefactor of India was a nobleman whom I may take the liberty of calling my noble friend (the marquis Wellesley.) That nobleman, who, greatly to his honour, in the midst of all his political and military concerns, found leisure to attend to the internal improvement of his government, and who, as if eager to avail himself of an opportunity of inculcating the real superiority of the honour to be obtained in bloodless victories over ignorance and error to those laurels that are reaped in the field of battle, founded the college at Calcutta, as a trophy to commemorate his success in the Mysore war. The marquis Wellesley was informed, that a practice prevailed of sacrificing, at the change of every moon, many victims, chiefly children, to the river Ganges. He wished to put an end to this horrid practice: but he was conscious, as all men of sense must be in such cases, that he must feel his way cautiously and tenderly. To those who had adopted the principles of our opponents, it would have been sufficient, I fear, to make them acquiesce in the continuance of this practice, to be told, that it had subsisted for many hundreds, perhaps even for thousands, of years. But my noble friend consulted no such advisers: he took counsel with his own excellent understanding, and humane heart; and the consequence soon followed—the practice was at an end. He conferred with some of the learned natives who were attached to the college, concerning the origin and principle of these horrid murders, and ascertained, that they were prescribed by no ordinance of religion, and that, probably, no objection would be made, no discontent produced, if they should be prohibited. They had gone on, from time immemorial, from the habit which had prevailed in India of suffering all such wicked and cruel practices to prevail, without question or opposition. A law therefore was issued, by the governor-general in council, declaring the practice to be henceforth murder punishable by death. The law was obeyed, without a murmur: and not only have all the wretched victims, who would otherwise have been sacrificed, been since saved to the state; but this cause at least has been taken from the number of those which injure the community in India more than in proportion to the direct loss of life they occasion, by their hardening and depraving effects on the hearts and practice of the whole population.

But the second instance in which we are able to speak of a conquest already achieved over the native superstitions and cruelties of India, is of a still more striking nature, and where originally the obstacles were of a far more formidable character. It is now more than twenty years since Mr. Duncan, afterwards governor of Bombay, then resident at Benares, learned that a custom existed, among a tribe of the natives in that neighbourhood, of murdering their female infants; and he was able, through the influence of the British government (for the influence of government was in that instance used not only innocuously but successfully), to prevail on the tribe (the Rajkumars of Juanpore) to enter into a positive engagement, to abstain in future from such detestable acts; and that any of their number who should be guilty of them, should be expelled from their tribe.

Thus the practice was abolished in Juanpore. But it had been suggested by captain Wilford to Mr. Duncan, in his former inquiries concerning infanticide in India, that the Greek historians had stated it to prevail in the neighbourhood of Guzerat. Accordingly, recollecting the success of his former humane endeavour, he was animated by the benevolent desire of extending in that quarter also the triumphs of humanity. After some inquiry he ascertained, that the practice of murdering the female infants was very general among the tribes of Jarejah and Cutch. And so firmly had this detestable custom rooted itself, and so powerfully was it established, as to have overcome the strongest of the human instincts, a mother's love of her infant. Not only did these mothers assist in destroying their offspring, but even when the Musselman prejudices (Musselman prejudices observe, Sir! it is with shame that I pronounce the words!) occasionally interfered to preserve their offspring, they held these females in the greatest contempt, calling them by a name which indicated that their fathers had derogated from their military caste, and were become pedlars. Governor Duncan's humane designs against this horrid practice were most ably and effectually furthered, and at length accomplished, by the resident, colonel Walker, who displayed on this occasion a sagacity, address, and firmness, as well as humanity, which are beyond all praise. The whole progress of this admirable enterprise is published to the world; and the leading particulars in Moor's Hindoo Infanticide, are now, on my motion, upon your table. Observe therefore, Sir, that here, as in other instances, I ground my arguments on attested, indisputable facts, and undeniable experience. Colonel Walker's attempt, at first, wore a very unpromising aspect. In return to a letter which he wrote to one of the chieftains of the tribe, reasoning with him on the cruelty of the practice, and urging him to discontinue it, he received an answer which would have been sufficient not only to discourage, but to intimidate, a less zealous, and, I may add, a less able adventurer. He was told, that it was "notorious that the Jarejahs had been in the habit of killing their daughters for 4,900 years; and that no doubt he was aware that all of God's creation, even the mighty emperors of Hindustan, Shah Jehan, Aurenzebe, and Akbar, had always preserved friendship with his court, and had never acted in that respect (female infanticide) unreasonably. Even the king of the world had never once thought of putting a stop to the custom which prevails amongst the Jarejahs, of killing their daughters."

After much more in defence of the practice, he concludes with a declaration, which, if somewhat ambiguously mysterious in its outset, is clear enough as to its meaning before it ends:—"God is the giver, and God is the taker away; if any one's affairs go to ruin, he must attribute his fortune to God. No one has until this day wantonly quarrelled with this Durbar, who has not in the end suffered loss."

"This Durbar wishes no one ill, nor has ever wantonly quarrelled with any one."

"Do not address me again on this subject."

Such, Sir, was the reception of colonel Walker's first application to the chieftains of the Jarejahs. And even one of the mothers returned him an answer of the same hopeless tenor.

Now, Sir, let me fairly put it to the House, whether such an answer as this, to any application which had been made for putting an end to any instance of native superstition, would not have been deemed such a decisive proof that it was dangerous to proceed in the attempt, that any one who had advised that the endeavour should be still persevered in, would have drawn upon himself the epithets of fanatic and enthusiast: and it would perhaps have been thought, even by candid and humane men, that an excess of zeal only could prompt any one to a continuance of efforts which appeared not only hopeless, but even highly dangerous. Colonel Walker might even have obtained the praise of having engaged and done his best, in this work of humanity, though he had not been able to achieve it. But colonel Walker, Sir, was not so easily to be disheartened: colonel Walker's humanity was not satisfied with enjoying this barren and unprofitable triumph: he persevered, but by the only prudent, the only just and legitimate, means: he took frequent occasions of discussing the subject in the court of justice, and of exposing the enormity of so unnatural a practice: and, that I may hasten to so welcome a conclusion, within twelvemonths of the day on which the letters which I lately quoted had been written, the very writers of those letters, together with the Jarejah tribes in general, formally abjured for the future the practice of infanticide, and declared themselves highly satisfied with the engagement which they made to that effect. To a man of principles and feelings such as colonel Walker's must be, how delightful must have been the recompence which about two years afterwards he received! He took the opportunity afforded by his being in that neighbourhood, of causing to be brought to his tent, some of the infants which had been preserved: and let all who are now opposing us, listen to colonel Walker's account of the scene. "It was extremely gratifying on this occasion, to observe the triumph of nature, feeling, and parental affection, over prejudice and a horrid superstition: and that those who but a short period before would (as many of them had done) have doomed their infants to destruction without compunction, should now glory in their preservation, and doat on them with fondness. The Jarejah fathers, who but a short time back would not have listened to the preservation of their daughters, now exhibited them with pride and fondness. Their mothers and nurses also attended on this interesting occasion. True to the feelings which are found in other countries to prevail so forcibly, the emotions of nature here exhibited were extremely moving. The mothers placed their infants in the hands of colonel Walker, calling on him and their gods to protect what he alone had taught them to preserve. These infants they emphatically called 'his children.' And it is likely that this distinction will continue to exist for some years in Guzerat."

Why, Sir, with but one such incident as this, with but one such cordial to cheer us on our progress, we should be indeed faint-hearted, we should be indeed chargeable with being wanting in the zeal and spirit of perseverance which such a cause as ours inspires, if we could faint by the way, and not determine to go forward in the face of every obstacle, prudently indeed and cautiously, but firmly and resolutely, pressing on towards the great object of our endeavours. In fact, Sir, here, as in other cases, when you are engaged in the prosecution of a worthy end, by just and wise means, difficulties and obstacles disappear as we proceed; and the phantoms, not to call them bugbears, of ignorance and error, melt away before the light of truth.

Had the noble lord, whom I have already mentioned, continued in India, it is highly probable that he would have achieved other conquests over the cruel practices of the natives of India. It is highly probable that he would have been able to put an end to the barbarous custom of widows destroying themselves; a custom which has been the disgrace of India for above two thousand years. But had the doctrines of our opponents continued to govern the practice of all the East India Company's servants in India, those two barbarous practices, the termination of which has been already effected, would still have carried on their destructive ravages. For let me ask our opponents, were these practices in any degree less firmly established, or of a later date, than various others which still continue? And with these instances before our eyes, in which the success of the efforts of humanity has been more rapid and more complete than probably our most sanguine expectations could anticipate, shall we suffer all the other detestable practices of India to prevail without the slightest attempt to put a stop to them? And shall we at once admit the assertions of those who thus, in defiance alike of reason and experience, inculcate on us that it is infinitely dangerous, though ever so prudently and cautiously, to endeavour to substitute the reign of light and truth and happiness, for that of darkness, delusion, and misery?

But, Sir, it is time to speak out, and to avow that I go much further than I have yet stated, and maintain, not only that it is safe to attempt, by reasonable and prudent methods, to introduce into India the blessings of Christian truth and moral improvement, but that true, aye, and imperious and urgent, policy, prescribe to us the same course. And let me not be misunderstood on this subject: I do not mean that I think our Indian empire rests on such firm foundations as to be shaken by no convulsions, and that therefore we may incur the risk of popular ferments with impunity: no, Sir; I frankly acknowledge, that I have long thought that we hold our East Indian possessions by a very precarious tenure. This is a topic on which it would be painful to expatiate, and perhaps imprudent to be particular; but the most cursory survey of the circumstances of our East Indian empire must be sufficient, in the minds of all who are ever so little read in the page of history, to justify the suspicion which I now intimate.

On the most superficial view, what a sight does that empire exhibit to us! A little island obtaining and keeping possession of immense regions, and of a population of sixty millions that inhabit them, at the distance of half the globe from it! of inhabitants differing from us as widely as human differences can go! differences exterior and interior—differences physical, moral, social and domestic—in points of religion, morals, institutions, language, manners, customs, climate, colour, in short in almost every possible particular that human experience can suggest, or human imagination devise! Such, Sir, is the partnership which we have formed; such rather the body with which we are incorporated, nay, almost assimilated and identified. Our oriental empire indeed is now a vast edifice; but the lofty and spacious fabric rests on the surface of the earth, without foundations. The trunk of the tree is of prodigious dimensions, and there is an exterior of gigantic strength. It has spread its branches widely around it, and there is an increasing abundance of foliage and of fruit; but the mighty mass rests on the ground merely by its superincumbent weight, instead of having shot its roots into the soil, and incorporated itself with the parent earth beneath it. Who does not know that the first great storm probably would lay such a giant prostrate?

This, Sir, I fear, is but too just a representation of the state of our East Indian empire. Various passages in the papers on the table clearly illustrate and strongly confirm this position; sometimes they distinctly express it. In truth, Sir, are we at this time of day still to be taught that most important lesson, that no government can be really secure which does not rest on the affections of the governed; or at least on their persuasion that its maintenance and preservation are in some degree connected with their own well-being? And did we want the papers on the table to inform us, as, however, in more than one place, they do inform us, that, notwithstanding the vast improvements we have introduced among the people of India, and the equity and humanity with which our government is administered, the native population is not attached to us? It might easily be shewn also, that many of the peculiar institutions of India, more especially that of its castes, greatly favours the transference of dominion from one conqueror to another. Then, the situation and neighbourhood of India! Regions which have been again and again the prey of those vast Tartar hordes which at different times have descended like some mountain torrent, and have swept all before them with resistless fury! Sir, would we render ourselves really secure against all such attacks, as well as against any, less perhaps to be dreaded, which our great European enemy may make upon us in that quarter, let us endeavour to strike our roots into the soil, by the gradual introduction and establishment of our own principles and opinions; of our own laws, institutions, and manners; above all, as the source of every other improvement, of our religion, and consequently of our morals. Why, Sir, if it were only that we should thereby render the subjects of our Asiatic empire a distinct and peculiar people; that we should create a sort of moral and political basis in the vast expanse of the Asiatic regions, and amidst the unnumbered myriads of its population, by this change we should render our East Indian dominions more secure, merely from the natural desire which men feel to preserve their own institutions, solely because they are their own, from invaders who would destroy them. But far more than this;—are we so little aware of the vast superiority even of European laws and institutions, and far more of British laws and institutions, over those of Asia, as not to be prepared to predict with confidence, that the Indian community which should have exchanged its dark and bloody superstitions for the genial influence of Christian light and truth, would have experienced such an increase of civil order and security; of social pleasures and domestic comforts, as to be desirous of preserving the blessings it should have acquired; and can we doubt that it would be bound even by the ties of gratitude to those who had been the honoured instruments of communicating them?

Here again, Sir, we can answer this question from experience. We have a case precisely in point; by which, on a small scale, we are enabled to judge what would be the effects of the same experiment tried upon a larger. All around me have heard of the great Albuquerque, one of those extraordinary men who, nearly 300 years ago, raised to the highest pitch the glory of the Portuguese name in India*. The commentaries of his son Bras de Albuquerque contain the following curious passage. "When Alf. de Albuquerque took the kingdom of Goa, he would not permit that any woman from thenceforward should burn herself; and although to change their customs is equal to death, nevertheless they rejoiced in life, and said great good of him, because he commanded that they should not burn themselves." It is added, in proof of the veneration in which this great man was held by the natives, "that long after his death, when a Moor or Hindoo had received wrong, and could obtain no redress from the governor, the aggrieved person would go to Goa, to Albuquerque's tomb, and make an offering of oil at the lamp which burned before it, and call upon him for justice."

And now, Sir, if I have proved to you as I trust I have irrefragably proved, that the state of our East Indian empire is such as to render it highly desirable to introduce among them the blessings of Christian light and moral improvement; that the idea of its being impracticable to do this is contrary alike to reason and to experience; that the attempt, if conducted prudently and cautiously, may be made with perfect safety to our political interests; nay, more, that it is the very course by which those interests may be most effectually promoted and secured; does it not follow from these premises as an irresistible conclusion, that we are clearly bound, nay, imperiously and urgently compelled, by the strongest obligations of duty, to support the proposition for which

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* For the above curious fact I am indebted to the kindness of Mr. Southey, who has also been so obliging as to furnish me with the following curious and important fact, which from forgetfulness I omitted to mention in the House of Commons. When Joane de Barras wrote (a man who, for the extent of his researches, is worthy to be ranked with Herodotus), a fourth part of the population of Malabar consisted of native Moors; and the reason which he assigns for their rapid increase is, that they had obtained privileges from the king, and put themselves upon a level with the high castes, "for which reason many of the natives embraced their faith." He says in another place, that "the natives esteemed it a great honour when the Moors took their daughters to wife." The above fact plainly shews what has been abundantly confirmed to me by private testimony, that the real cause which renders the natives of India afraid of losing caste is not any religious scruple, but merely the dread of the many and great temporal evils which proceed from the loss.

I now call upon you for your assent. But what is that proposition? Its only fault, if any, is, that it falls so far short of what the nature of the case requires. Is it that we should immediately devise and proceed without delay to execute, the great and good and necessary work of improving the religion and morals of our East Indian fellow-subjects? No; but only that we should not substantially and in effect prevent others from engaging in it. Nay, not even that; but that we should not prevent government having it in their power, with all due discretion, to give licences to proper persons to go to India and continue there, with a view of rendering to the natives this greatest of all services. Why, Sir, the commonest principles of toleration would give us much more than this. Where am I standing? Where is it, and when, that I am arguing this question? Is it not in the very assembly in which, within these few weeks, nothing but the clearest considerations of political expediency were held sufficient to justify our withholding from the Roman Catholics the enjoyment of the fullest measure of official as well as political advantages, and when you yourself, Sir*, though you felt yourself bound to continue some few official disabilities, acknowledged that it was with reluctance and even with pain? And shall we now lay the religion which we ourselves profess under such a restraint in any part of our own dominions? No, Sir: it is impossible: you will not, you cannot, act thus. But, in addition to what I have already said, it deserves well to be considered, that if we should fail in our present endeavour, and if Christianity should be, as it then would be, the only untolerated religion in the British dominions in India, the evil would not stop here. The want of toleration would not be merely a negative mischief; the severest persecution must infallibly ensue. For, assuredly, there are, and by God's help I trust there ever will be, both European and native teachers prepared in the face even of death itself, to diffuse the blessed truths of Christianity.

But let it never be forgotten, it is toleration only that we ask: we utterly disclaim all ideas of proceeding by methods of compulsion or authority. But surely I need not have vindicated myself from any such imputation. The very cause which I plead would have been sufficient to protect me from it. Compulsion and Christianity! Why, the very terms are at variance with each other: the ideas are incompatible. In the language of inspiration itself, Christianity has been called "the law of liberty." Her service, in the excellent formularies of our Church, has been truly denominated "perfect freedom;" and they, let me add, will most advance her cause, who contend for it in her own spirit and character.

I have often been reminded, Sir, during the course of these discussions, of the similarity of the present case to another great contest of justice and humanity, in which, with many confederates far abler than myself, I was perseveringly and at length, blessed be God, successfully engaged some years ago. The resemblance I see is acknowledged by my hon. friend near me (Mr. William Smith), who is still faithful to the great principles which animated us in our former struggle, during the whole of which he was among the ablest as well as the most zealous and persevering of my associates.

On that occasion, let it be remembered, it was our ultimate object, by putting an end to those destructive ravages, which, for centuries, had produced universal insecurity of person and property along a vast extent of the coast of Africa, and had thereby protracted the reign of darkness and barbarism in that quarter of the globe, to open a way for the natural progress of civilization and knowledge; of christian light and moral improvement: so now, likewise, we are engaged in the blessed work of substituting light for darkness, and the reign of truth and justice and social order and domestic comfort, of substituting all that can elevate the character or add to the comfort of man, in the place of the most foul, degrading, and bloody system of superstition that ever depraved at once, and enslaved, the nature, and destroyed the happiness of our species. In the case of the slave trade, as well as in this, we had the misfortune to find ourselves opposed by many of those whose means of local information were certainly considerable, but whose notions of facts were so obscured or warped by prejudices or prepossessions, as to be rendered strangely inaccurate and preposterous.

There, likewise, owing no doubt to the strange prejudices and prepossessions I have noticed, our opponents maintained, that there was no call whatever for the exercise of our humanity: that the slave trade, whatever our English notions of comfort might suggest to us, like the superstitious practices in India, added to the sum of human happiness, instead of lessening it; or at the least, we were wishing to make men happier against their will: and that so far from there being any need for our interference to improve the condition of the slaves in the West Indies, already they were as happy as the day was long; nay happier, for they danced all night. Consistently therefore with these opinions, they called upon us, just as we have been called upon this evening, to find some other and better selected sphere, for the exertions of our humanity. Really, the similarity of the two cases runs almost on all fours: for on that occasion, as well as now, we were assured that we should infallibly produce insurrections; while it might be truly affirmed in both cases, that the language of our opponents themselves was far more likely than ours to produce the apprehended evil. Happily, the West Indian predictions have been so far from verified in this particular, that I scarcely recollect any other period of the same length as that which has elapsed since we commenced our abolition-proceedings in which there had not been some insurrection or other. Sir, allow me to hope that the resemblance, which I have shewn to exist between the two cases with so striking an accordance, will be completed, by our finding, that notwithstanding the different views and expectations which different gentlemen have formed of the effects of this measure, we shall all rejoice over it together ere many years shall be completed, and find all the fancied mischiefs apprehended by our opponents disproved by the event. I beg, however, that it may be observed, that the resemblance which I have been describing is not merely an illustration: it is an argument; and a very powerful one too it will appear to all who remember that we had then the misfortune to number many considerable men among our opponents; inasmuch as it shews how possible it is for men of eminent attainments to be misled, not merely into tolerating as an unavoidable evil, which it is only fair to confess was the argument of some of our opponents, but into supporting and panegyrizing, as warranted by the principles of justice and humanity, a cause, that now, after a few short years have expired, not a single man can be found to lift up his voice in its favour.

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* The Speaker. See p. 312.

And now, Sir, if we suffer our imaginations to follow into its consequences the measure in which we are now engaged, and to look forward to the accomplishment of those hopes which I trust will be one day realized, what a prospect opens on our view! In the place of that degrading superstition, which now pervades those vast regions, Christianity, and the moral improvement which ever follows from its introduction, shall be diffused with all their blessed effects on individual character, and on social and domestic comfort. Surely, we here see a prize which it is worth contending for, at any cost of time and labour. And I can assure our opponents, that they are greatly deceived, if they imagine that we are likely to give up the contest, even if we should fail in our present attempt. Happily, Sir, it appears from the unprecedented number of petitions now on your table, that the importance of the question is duly appreciated by the public mind. And let it not be imagined that these petitions have been produced by a burst of momentary enthusiasm; that the zeal which has actuated the petitioners is a mere temporary flame, which will soon die away, and be exhausted. No, Sir: I am persuaded, that in proportion as the real condition of our Asiatic fellow-subjects shall be more generally known, the feeling which has already been so forcibly expressed, will prevail still more extensively. If, therefore, our opponents really apprehend the greatest evils from discussing the subject, in common consistency with this opinion, they should suffer our question to pass, as the only way by which that discussion can be terminated. For they may be assured, that otherwise the public voice will call upon this House still more loudly than even it has now done. And assuredly, my friends who are associated with me in this great cause are animated with the same determination as myself, never to abandon it, either till success shall have crowned our efforts or till it shall appear utterly unattainable.

But after all, Sir, at the very moment when my friends and I were ready to raise the shout of victory, a proposition has been made to us by an hon. baronet, of which, though offered to us in the language, and by him, I do not deny, with the meaning of good will to our object, I must confess I am more afraid than of all the other modes of opposition we have experienced in the course of these discussions. I am the more afraid of it, because the plausible and specious appearance with which it comes forward is likely to render its hostility so much the more efficient and destructive. It accosts us with a language of this sort—"We all mean the same thing: we all wish Christianity and moral improvement to be communicated to the natives of India: but we are afraid of the effects which will be produced in India by the appearance of your proposed clause on the statute book. Government may grant licences to persons to go over to India for religious purposes, as well as any others, under the general powers to be granted to them by the Bill. We must, therefore, resist your clause."

If what has been already stated to the House should not have sufficed for dispelling any apprehensions of a dangerous ferment being produced in the public mind of India, by the existence in the statute book of the clause we have now proposed, all such fears will, I think, be removed, when I shall have read an extract from one of the volumes on your table, concerning the extreme difficulty that is experienced in India, in diffusing the most interesting intelligence throughout the mass of the people. Our opponents will assign more weight to the extract, because it is taken from Judge Strachey's Answers to lord Wellesley's Interrogatories, "I take this opportunity," says he, "of remarking, that to render generally known any penal law, is extremely difficult, particularly among the lower orders of the people. Till they see the effect of it, they remain ignorant of it; and this in spite of advertisements and proclamations. News and information of all kinds are, in Bengal, slowly and inaccurately transmitted from one to another. Among us, events obtain publicity through the means of periodical prints, of epistolary correspondence, and of verbal communication. Among the natives, there is nothing of the two first, and even of the other hardly any*."

After hearing the above extract, the House will not, I think, participate in the apprehensions which some gentlemen seem to entertain, that the mere insertion of this clause into our statute book may produce a dangerous commotion among the native population of India. Besides, Sir, as has been well remarked by my noble friend, (lord Castlereagh) who, in truth, has treated the whole of this subject with extraordinary discretion and ability, the natives, if they should read the clause, which, however, is a highly improbable occurrence, will find in it, and find I believe for the first time expressed in terms, a clear recognition, an effectual security, of their right to preserve their religious principles and institutions sacred and inviolate. The clause thus framed, will therefore produce satisfaction among them rather than discontent, on that very subject of religion.

But, Sir, it is an additional argument, and with me I confess a very powerful one, for retaining this clause, that though the general power of granting licences with which the friends of the hon. baronet's motion would have us be satisfied, might provide sufficient openings for the sending over of missionaries to India, and for the employment of them there, so long as they should conduct themselves properly; which, however, I utterly deny; yet I beg the House ever to bear in mind, that my friends and I have far more in view in the measure we have been recommending, than merely the sending over and maintenance of missionaries. I beg they will recollect what I stated in one of the first sentences which I addressed to you, that it is not merely for the purpose of enabling government to grant licences to missionaries that I support the present clause, but because, especially when taken in conjunction with the Resolution on which, according to the usage of parliament, it is founded; by affirming the duty of enlightening the minds and improving the morals of our East Indian fellow-subjects, it establishes the principle; it lays the ground for promoting education among them, and for diffusing useful knowledge of all kinds. When truth and reason, so long excluded from that benighted land, shall once more obtain access to it, (and we are this day engaged in the great work of breaking down that barrier which has hitherto substantially and practically excluded them), the understandings of the natives will begin to exert their powers; and their minds, once enlightened, will instinctively reject the profane absurdities of their theological, and the depraving vices of their moral system. Thus they will be prepared for the reception of Christianity, for "Christianity is a reasonable service," and then, we may appeal to the moral superiority of Christian Europe in modern times, in comparison with that of the most polished pagan communities, for the blessed effects which may be expected to follow on their moral, their social, and, above all, their domestic comfort.

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* Answer from Judge Strachey to Interrogatories, 30th Jan. 1802.

But, Sir, to return to the question concerning the necessity of retaining our clause; I cannot but hope, after all we have heard in the course of our discussions, and more especially after what has passed subsequently to the hon. baronet's motion for leaving out our clause; after all this, I repeat it, I cannot but indulge the hope, that all those at least, who were disposed to leave our clause out of the Bill, on the ground of its being unnecessary, if not dangerous, will at length discover, that some such clause as this is absolutely indispensable for accomplishing the desire, which they profess in common with us, of furnishing the means of introducing Christianity into India. Indeed, it ought to open their eyes to the real practical effect of their own amendment, that they who are the most decidedly hostile to the introduction of Christianity into India, so readily assent to it, or rather so warmly support it.

But, Sir, let me ask, do they not see that if the clause be left out, the act of parliament will contain no mention whatever of religion or morals? no recognition of its being our duty to endeavour to communicate to our East Indian fellow-subjects the blessings of Christian light and moral improvement? That recognition will still, I grant, be contained in the resolution of the House of Commons, as well as in that of the House of Lords; but let me ask, will not this be precisely the situation in which the cause has stood, and stood, alas! to no purpose, for the last twenty years? For on the renewal of the charter in 1793, both Houses of Parliament, as has been repeatedly stated, passed, and have ever since kept on their Journals, a Resolution similar to that which we have now adopted. But, as was unanswerably urged in defence of the Court of Directors, by one of the ablest and most active opponents of all attempts to convert the natives of India, this recognition, being only contained in the Votes of the two Houses, but not in the act of the legislature, the executive body, whose business it was to carry into execution what parliament had prescribed by that Act, could not be chargeable with neglecting any duty which that statute had ordained, when, so far from favouring, they rather thwarted and hindered the attempts of the missionaries. The guilt, as was irresistibly argued by the writer just alluded to; the guilt, if any, of not having favoured the endeavours of individuals to convert the natives of India, was not justly chargeable on the East India Company's directors, nor yet on the Board of Controul, but on the legislature, which prescribed to both the principles on which the government in India was to be conducted, but said not one syllable about religion or morals. And if the present Act, like the former, were to leave religion and morals unmentioned, the same inference might fairly be drawn from the silence of the legislature; but with greatly increased force, since the enemies of East India missions would truly state, that the subject, which had formerly attracted little attention, had now been long under the consideration of parliament; and that, in the House of Commons especially, it had occasioned much debate. They would allege, that the advocates for the religious and moral improvement of India had maintained, that the moral degradation of our East Indian fellow-subjects, and their pernicious and cruel institutions, rendered it eminently desirable that we should endeavour to impart to them a purer system of faith and morals; that the attempt was perfectly practicable, and that it might be made with safety, nay even with advantage to our political interests;—that, on the other hand, our opponents had maintained, that we were bringing forward an unnecessary, nay a most pernicious project; that the principles of the Hindoo religion were eminently pure, their practice superior to our own; but, were this more doubtful, that the endeavour could not be made without endangering the very existence of our empire in India. Such, I say, it would be alleged, had been the state of the argument, and it would be added irresistibly, that parliament had shewn, by rejecting the clause which had been offered by the advocates for Christianity in India, that it disapproved the project they had proposed.

If any thing more could then be needed to supply additional force to the above argument, it would be the language which has at length been used by the ablest of our opponents. For happily, Sir, in the progress of our discussions, they have warmed in their course, one of them especially, to whose abilities and eloquence I pay no unwilling testimony, though I must say that he has imposed on himself a task which exceeds his, or indeed any human abilites, in undertaking to reconcile the manifest inconsistency, of feeling the highest respect for Christianity, and of preserving at the same time any measure of reverence for the Hindoo religion, which, both in its theology and its morals, Christianity utterly abjures and condemns. The hon. gentleman, however, has spoken out; (I thank him for it;) and has relieved the question from all ambiguity,—speaking in terms of high admiration of the excellence and sublimity of the Hindoo religion, and pretty plainly intimating that we, who are endeavouring to substitute Christianity in the place of it, are actuated by a zeal the most fanatical and absurd. Indeed, he frankly acknowledged to us, that he had it once in contemplation to move a clause, expressly forbidding all further attempts of Christian missionaries, leaving us to conclude that he abstained from so doing merely on prudential grounds. All this may be right, or it may be wrong; but after such sentiments have been uttered, and after the exulting approbation with which they were received by our opponents in general, let it no longer be said that we are all of one mind, all wishing alike for the diffusion of Christianity in India, but only differing as to the mode of accomplishing that desirable event. No, Sir; the question is now put on its true basis, and it clearly appears to be no other than this, whether, as Christianity is the religion of the British empire in Europe, the religion of Brahma and Vishnoo is not to be the acknowledged system of our Asiatic dominions.

I beg pardon, Sir, for having trespassed so long on the indulgence of the House: but the subject is one, the importance of which can scarcely be over-estimated. If, Sir, a British judge and jury, the former often at an advanced period of life, after a long course of professional labours, will sit patiently for more than an entire day to decide whether the life of some criminal shall be forfeited to the offended laws of his country; nay, even to settle some doubtful question of property; how much less will you grudge, even to me, a still larger portion of your time and attention than I have presumed to occupy, when you consider, that the question which we are now deciding involves not the prosperity, not the life merely of an individual, but the religious and moral inserests, the temporal at once and the eternal well-being, of 60 millions of our fellow creatures!

Mr. *Prendergast* repeated the arguments he had urged on a former night against the principle upon which the preamble was framed, and contended that the introduction of men with heated imaginations into India, under the title of Missionaries, would be attended with the most mischievous consequences. He re-asserted, that he had heard Dr. Carey, on a hogshead, exhorting the Hindoos, and telling them that hell's flames would certainly be their portion if they did not become Christians. The attempt to convert the Hindoos was the most absurd infatuation that ever besotted the weakest mind.

Mr. *J. H. Smyth* said, that the hon. gentleman who had spoken second in the debate, in supposing that government wanted to patronize missionaries going out to India, had misunderstood the plain meaning of the Resolution, as no such proceeding on the part of government was in contemplation. With regard to the mutiny at Vellore, he denied that the melancholy transaction was at all attributable to an attempt to introduce Christianity among the troops, but was solely to be ascribed to other causes, namely, to an order which had been given to remove the marks of their caste, than which nothing could be more degrading to a Hindoo. With respect to the argument of the invincibility of the prejudices of the natives, he said a sufficient answer had been afforded to this by the admirable effects which had resulted from the exertions of colonel Walker, in putting an end to the crime of infanticide, which had, before his interference, existed for centuries.

Mr. *Marryat* expressed his surprise that the duty imposed by this clause on missionaries, was not also imposed on the bishop and archdeacons who were proposed to go to India, in a subsequent clause. That there were many dignified clergymen of the established church prepared to pursue so laudable a design as the conversion of the Indians, he had not a doubt; and as he was not disposed to pay the missionaries a compliment at the expence of the church of England, he should not vote for the insertion of the preamble, unless it was also applied to the clause respecting the appointment of the bishops.

Mr. *Forbes* pointed out the certain ill effects which would result from this clause, and said that the natives of India were now watching every ship for the arrival of the Bill which was to constitute their future government. The moment it arrived it would be translated into their language and they would study it with peculiar earnestness. The result they would draw from the proposed preamble would be, that the British government intended to force them to adopt the Christian religion, and hence would arise a spirit of dissatisfaction that would not terminate till the British authority in India was annihilated.

Mr. *Robert Smith* resisted the clause because it was altogether unnecessary.

Mr. *Whitbread* could not admit that the preamble was not absolutely requisite. He thought that the dangers had been grossly exaggerated and the Hindoo character mistaken by the enemies of this clause. Why was this Christian country to abjure its doctrines in India? He was convinced that the mutiny of Vellore was not owing to the violation of any religious prejudices. If the preamble were rejected, it would be a complete bar to the introduction of Christianity into India.

Sir *T. Sutton* said, that the House was to act as statesmen legislating for an empire, and not merely, as had been said, as a Christian assembly.

Mr. *W. Smith* resisted the tone of authority assumed by gentlemen on the other side, not of the House, but of the question. Those gentlemen who had been in India, seemed to think they had a right to dictate what they pleased to those who had not been there; but he thought it very possible to have been in India and to know nothing of India. As to the charge of fanaticism, there was, he conceived, a fanaticism in religion, and also a fanaticism in indifference.

Mr. *Forbes* pleaded not guilty to the charge of indifference. His father was a clergyman, he had a brother a clergyman, and he intended making one of his sons a clergyman. It could scarcely be supposed, therefore, that he was indifferent on this head. He had assisted, besides, in translating the four gospels into the Hindoo language, and had received the thanks of several of those gentlemen for so doing. He had translated the gospels, but he left the Hindoos to do with them what they pleased.

Sir *T. Acland* spoke in favour of the original Resolution. He thought it prudent and moderate, and that it was such, that in the words of a great statesman, a Christian parliament could not do less—a British parliament could not do more.

The House then divided, when there were,

For the original Clause	-	54
For the Amendment	-	32
Majority	- -	—22

HOUSE OF COMMONS.

Friday, July 2.

Helleston Election Bill.] On the motion for the third reading of the Bill to secure the Freedom and Purity of Election in the borough of Helleston,

The Marquis of *Tavistock* moved a new clause to be added to the Bill, the purport of which was, that the election of two members for Helleston, and the election of two knights of the shire for the county of York, should cease; and that instead thereof two knights of the shire should be chosen for the West Riding of the county of York, and two for the North and East Riding.

Mr. *Bankes* said he did not see any necessity for such a clause.

The clause was then rejected without a division, and the Bill read a third time and passed.

Catholic Question.] Sir *J. C. Hippisley* moved that there be laid before the House extracts from the dispatch of sir G. Prevost, governor of Canada, bearing date in October, 1811, with respect to the state of the Catholic religion in that colony. The motion was agreed to. The hon. baronet then said, as notice had been given of a Bill to be brought in next session for the relief of the Roman Catholics, he felt it to be his duty again to move for the committee which he had called for in the present session. He therefore took that opportunity of giving notice, that he should, early in the next session of parliament, again move for the appointment of a committee, in the same words which he had used in his motion of the 11th of May last.

Motion respecting the Supplies.] Mr. *Tierney* moved, That the Supplies voted for the Navy, Army, Ordnance, Vote of Credit, and Subsidies for Great Britain and Ireland, for the years 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, and 1813, may be stated as follows; viz.

	1805.	1806.	1807.	1808.	1809.	1810.	1811.	1812.	1813.
	£.	£.	£.	£.	£.	£.	£.	£.	£.
Army, Ordinary - - - -	14,320,000	14,635,000	15,532,000	15,942,000	17,929,000	17,145,000	17,459,000	17,763,000	18,926,537
D° Extraordinaries - - - -	3,600,000	3,600,000	3,550,000	3,350,000	3,000,000	2,750,000	3,200,000	5,200,000	9,700,000
D° to make good Excess of Extraordinaries beyond Estimate of the preceding Year -	660,000	272,380	793,710	147,179	215,429	441,500	627,100	2,301,500	4,662,797
Total for the Army - - - -	18,580,000	18,507,380	19,875,710	19,439,179	21,144,429	20,337,000	21,286,100	25,264,500	33,289,334
Navy (including Ordnance for Sea Service) - - - - -	13,967,000	15,994,000	17,400,000	18,317,000	19,578,000	19,829,000	20,935,000	20,362,000	21,212,011
Ordnance - - - - - -	4,457,000	4,198,140	3,321,214	3,713,000	5,311,000	3,819,400	4,352,600	4,620,600	4,463,294
Subsidies - - - - - -	— —	— —	180,000	1,400,000	700,000	1,380,000	2,400,000	2,400,000	3,400,000
Vote of Credit - - - -	3,500,000	3,000,000	5,000,000	2,700,000	3,300,000	3,200,000	3,200,000	3,200,000	5,200,000
	40,504,000	41,699,520	45,776,924 41,699,520 40,504,000	45,569,179	50,033,429	48,565,400 50,033,429 45,569,179	52,173,700	55,846,500	67,564,639 55,846,500 52,173,700
Total 3 years ending 1807—3)			127,980,444	3 Years ending 1810—3)		144,168,008	3 Years ending 1813—3)		175,584,839
Average *per annum* - - -			42,660,148	Average *per annum* -		48,056,000	Average *per annum* -		58,528,277

And a debate a rising in the House thereupon; it was ordered, That the debate be adjourned till Thursday.

REPORT ON THE ACT RESPECTING THE JUDGES' SALARIES.] Mr. Thomas Courtenay reported from the Committee appointed to consider of the Act 39 Geo. 3, c. 110, for the Augmentation of the Salaries of the Judges, &c. that they had come to the following Resolution:

"Resolved, That his Majesty be enabled to grant, under certain conditions to be limited, unto any person who shall have held the office of Chief Justice of the Court of King's-bench, or Master of the Rolls, or Chief Justice of the Court of Common Pleas, or Chief Baron of the Court of Exchequer, respectively, an additional annuity of 800*l.* to each of such persons; and to any person who shall have held the office of Puisne Justice of the Courts of King's-bench or Common Pleas, or Baron of the coif of the Court of Exchequer, an additional annuity of 600*l.* to each of such persons; such annuities to be granted to them respectively from the time of their resignation of such offices respectively."

Ordered, That a Bill be brought in upon the said Resolution.

PETITION OF CAPTAIN LAYMAN—DURABILITY OF TIMBER.] Lord Cochrane presented a Petition from captain William Layman, of his Majesty's navy, setting forth, "That the petitioner has discovered a mode of increasing the strength and durability of timber, and of rendering forest trees fit for immediate service without the usual seasoning, by a process short and simple; and that this discovery, besides its national utility for general purposes, is of the greatest importance to his Majesty's navy; and that the petitioner has already demonstrated the reality of his discovery before the Board of Agriculture, in a course of experiments made in the presence of several members of both Houses of Parliament, which experiments are recorded in the minutes of that board; and that these experiments, however, fall considerably short of what the petitioner, by subsequent improvement of the process, is now able to effect; and therefore he humbly presumes to solicit the House, that they would adopt such means, as they may think proper, for the complete verification of the same, which the petitioner is ready to demonstrate in whatever manner he may be directed."

Ordered to lie upon the table.

AUCTION DUTIES BILL.] On the order of the day, for taking into further consideration the Report from the Committee of the whole House, on the Bill for taking away the exemption from the Auction Duty in respect of estates and effects bought in by or for the owner, and allowing a return of such duty, under judgment of relief, on complaint laid, and for the prevention of frauds on the Auction Duty, being read,

Mr. *Wharton* moved the postponement of the further consideration of the Report till Monday.

Mr. *Whitbread* said, understanding that the further discussion of this important subject would suit the convenience of the House better, by postponing it to Monday, he rose merely for the purpose of setting himself right, concerning some assertions which he had made on a preceding evening, and which had been contradicted by the right hon. gentleman opposite (Mr. Wharton.) In consequence of that right hon. gentleman's observations, the following communication had been made to him from five most respectable auctioneers:—

"Sir; in consequence of the observations you did our profession the honour to make on Friday evening last, and which were contradicted by Mr. Wharton and Mr. Vansittart, we deem it due to the feelings of Mr. George Robins, from whom you received the statement, and respectful towards you, who have so kindly advocated our cause, to state, that the observations you were authorised to make by Mr. Robins are strictly true; and, on reference to the minutes of a conversation which passed with Mr. Vansittart last year, we find the following passage relating to it:—Mr. Vansittart observed, 'that he should have full time to consider the Auction Bill during the recess—that he would consult and advise with the deputation, and see them from time to time—and that he would, in the course of the recess, communicate his sentiments and opinion in writing to them.'

"The Bill, however, passed all its stages, save only the Report, before we received any sort of intimation that it was again introduced into the House of Commons. Regarding the word 'experiment,' as made use of by Mr. Wharton, we state distinctly that he assured us he apprehended the Bill must undergo important alteration in the ensuing session, but he must, in the mean time, try the experiment; and lastly, he stated that our objections to the Bill had now ceased. To this we reply by referring to a passage in our letter to Mr. Wharton, that the Bill is so oppressive in its principal feature, respecting estates, as to be reconcilable by no modifications whatever. We are, very respectfully, &c. R. WINSTANLEY, J. CHRISTIE, T. L. FORREST, D. R. MUNN, H. PHILLIPS."

Such being the representation which these gentlemen had made of that conversation, he would do little more than state the grounds on which he would enter his protest against the principles of the Bill. It appeared, however, highly desirable that some regulation should take place concerning mock auctions; and he would be glad to see some measure adopted for that purpose, which might not disturb the business of the legitimate auctioneers, for he should set his face against any regulation which made no distinction between the good and the bad. The Bill at present under consideration, although it had only been heard of within these few days, had excited considerable alarm. Letters from respectable professional persons at Bristol, and over all the kingdom, had already arrived in London, complaining of the intolerable hardships which its provisions imposed; and by a communication from a very intelligent gentleman, he was informed, if the Bill passed, an estate which he intended to dispose of, should be immediately withdrawn. The hardship in the regulations concerning the disposal of goods and chattels, appeared to be great, and the crown in all appearance would have a fresh accession of power, from the complicated securities to be given in the future sale of estates. The Solicitor of Excise would have a most profitable situation, provided the Bill passed, by drawing out multitudes of bonds, though he did not go so far as to say that the person who would draw the bonds, had any hand in drawing the Bill. He was glad that his observation respecting the printing of the Bill had contributed to make it public, and that its propositions had become the subject of discussion among intelligent men, in whose minds it had excited no inconsiderable apprehensions both for the welfare of a body of respectable persons, and the future prosperity of the revenue.

Mr. *Fremantle* said, he had been given to understand, that the hon. proposer of the measure contemplated an alteration of that clause which regulated the sale of goods and chattels, so that it might be less objectionable to professional persons. He had likewise learned, that the clause which enacted security by bond for the duty on the sale of estates, was to be modified. Now, it appeared to him, that the latter clause, as it now stood, went to impose restrictions of a severe description on every landholder, who, from particular circumstances or family embarrassments, might find it necessary to dispose of his property. Other parts of the Bill were somewhat mysterious, and required explanation; for instance, in what manner were itinerant auctioneers to be distinguished from the respectable stationary auctioneers? Though he knew how to distinguish them himself, the Bill had not pretended to furnish him with any means of recognition, and he would be glad that the hon. proposer of the measure would state whom he contemplated as permanent, and whom as perambulating auctioneers.

Mr. *Wharton* informed the hon. gentleman, that he had been mis-informed with respect to his intentions of making alterations in those clauses which he had pointed out, he really had not contemplated any modification in the one or amendment in the other. With respect to the distinction drawn between resident and itinerant auctioneers, he conceived that it required little explanation, because every person knew a respectable Bond-street or Fleet-street auctioneer from one of those who perambulated the country and established for a few days a sale room in a village or a borough. Such was his manner of making the distinction, and he believed that the person who drew up the Bill contemplated the same when he framed the clause. Much difference of opinion, he believed, did exist concerning the first clause, but those who believed that the Bill had been brought in solely for the purpose of repressing mock auctions, had misunderstood the measure from its commencement, because it was intended from the beginning to be applied to another kind of practice. He alluded to a practice which he was informed had become pretty general, namely, that a person who had the sale of an estate in contemplation, communicated his resolution to another person likely to become a purchaser, and demanded a certain sum, say 10,000*l.* for his property; the other party, however, having duly considered the offer, comes to the determination of giving 8,000*l.* for the estate, and no more; upon which they come to the resolution, that the property shall be exposed to sale, which is accordingly done, and if it is not purchased for more than 8,000*l.* the estate is bought in, and the private bidder becomes the purchaser. Now, the duty on auctions he apprehended was imposed on the benefit of competition, and a considerable advantage was contemplated to arise from allowing the principle of competition to have full operation. To operate against that description of sales the first clause had been framed, and to which he believed the principle of auction duty was fairly applicable. He had always apprehended much difference would arise on that point, but he hoped he had made his views distinct to all who heard him. With respect to the statements of the conversation contained in the letter which the hon. gentleman opposite had communicated to the House, he begged leave to observe, that he had received a letter of the same description. He had, however, some recollection of the conversation which passed between his right hon. friend the Chancellor of the Exchequer and himself with those gentlemen, and that conference had left impressions on his mind something different from what it appeared to have made on theirs. He did not know whether this difference might not arise from the habitual politeness of these gentlemen's manners, which had softened their appearance of hostility to the measure, and caused him to meet them with something like correspondent affability. Certain it was, however, they, according to his recollection, signified their satisfaction.—[Mr. Whitbread whispered across the table, "With your civility, perhaps, but not with the Bill."]—No, he understood they were satisfied with the Bill; he had no remembrance of the expression concerning making an experiment of the measure. It was nonsense as applied to the Bill in contemplation, and could never have been employed, except in a vague and uncertain manner in those little hesitations which sometimes arose in conversation. The Bill was brought in for the purpose of meeting an acknowledged evil, and he hoped it would be carried into effect with some inconsiderable modifications.

Mr. *W. Smith* said, he apprehended that the hon. gentleman who spoke last had mistaken the principle of the measure entirely. It appeared to him, that the case which he had mentioned of disposing of an estate for 8,000*l.* was liable to a very different construction; for in all probability the estate would be purchased at the auction room for more than what had been contemplated, by some hundreds of pounds, by which means the revenue would gain considerably. A gentleman, a friend of his, had informed him that an experiment of a kind similar to that at present under consideration had been introduced in France. Formerly it appeared the rate of auction duty in that country was only one-half per cent. but the new measure increased it to three per cent. which banished auctions wholly from Brussels, Bourdeaux, and other places, and had an effect so mischievous on the auctions at Paris, that the government very recently taking into consideration the great decrease of revenue, and seeing the warehouses filled with old fashioned merchandize, which the auctions were wont to remove, consented to relinquish their enactments, and frame a measure more tolerant and consequently more productive. Such being the situation of France under similar regulations, he sincerely hoped that the lesson might induce the ministers of Britain to consent to the postponement or the final renunciation of the present measure.

Mr. *Huskisson* declared that it became the duty of the House to consider whether the present revenue arising from auctions would in all probability be of the same amount with an extensive diminution of sales, which every reasonable person might contemplate. An alteration, he perceived, had been made in the period for which bonds had to be given in case of estates being bought in: now this tended little to diminish the difficulties of the auctioneers; the sales might not be concluded for a considerable period, and the influence of the bonds still continued. Now, in case of the property being *bona fide* bought in, and not sold by private contract within the twelvemonth, the time limited, application might be made to certain commissioners, who were empowered to grant relief, provided that every thing was duly proved. But no relief was to be granted unless the authenticity of the auction was fully and satisfactorily proved—unless it was made manifest that the auctioneer had exalted his voice in a very audible manner, till all the audience were satisfied of the sum bidden, and the commissioners themselves were convinced that the professional gentleman had repeatedly proclaimed the amount of the biddings, and also that every person had heard and were satisfied. That extraordinary accumulation of proofs tended to involve the auctioneers in distress and difficulty. He was sure if the Bill passed that any auctioneer in a respectable employment would hesitate to continue his profession any longer, and all who had estates to sell would hesitate to offer them up to sale. He could almost name the person who framed this measure—he was some gentleman very assiduous about the Board of Excise, but he apprehended that persons who were in the habit of collecting revenue paid little attention to the sources of its prosperity, and the consequence was, when they proceeded to legislate, their measures might be productive of embarrassment and mischief. The ministers ought to pass that part of the Bill which remedied the evils arising from mock auctions, and postpone the part relating to resident auctioneers till all the parties had leisure to consider it and come to some proper determination.

Mr. *Lockhart* apprehended that the measure interfered too far with the transfer of property, and might be exceedingly injurious to the stamp and consideration duties. The bonds proposed to be entered into were an incumbrance upon property, and would have the effect of charging the land to a considerable amount. Did they expect that trustees would give bonds that would encumber the lands of others which they were appointed to protect? The measure originated in a desire to relieve the fair trader from the evil operation of the mock auctions, and it appeared highly improper to engraft something on the Bill of a very different nature and principle. Let them have a Bill for the protection of the fair trader, and then let them have a separate Bill for imposing an additional duty on him, but do not couple such dissonant propositions together. Besides, he apprehended that hawkers and pedlars, against whom appeared no clause in the Bill, would be enabled to become formidable rivals to the legitimate traders. From every circumstance he really thought the hon. gentleman might be induced to acquiesce in the proposal for the postponement of the measure to another session.

Mr. Alderman *Atkins* said, that a large body of respectable auctioneers of the city of London had waited on him in the morning and gave him to understand, that if the Bill passed the House their business would be annihilated.

Mr. *Wharton* declared that the measure had grown out of applications and suggestions made to the Treasury, and from the moment that it originated he had in contemplation both the legitimate and itinerant auctioneers, he never dreamed of availing himself of a popular measure to introduce by way of appendage, one that was unpopular.

Mr. *Frankland Lewis* maintained that the Bill interfered most essentially with the transfer of landed property, which was already sufficiently encumbered. It became the duty of the House to remove rather than create impediment of transfer, and nothing tended so much to retard the improvement of land as the difficulty he had mentioned. The Bill would increase to an enormous degree the difficulty of selling lands by auction, and at present there were scarcely any other mode of getting a purchaser. A measure of a magnitude so serious deserved further consideration; auctions were of public benefit, for through their means people found an outlet to their accumulated quantities of goods which could not be got rid of in the common way. The difficulties of the times occasioned these mock auctions, and with returning prosperity they would die away of their own accord. He concluded by moving, as an amendment to the motion, "That the Report should be taken into further consideration on this day three months."

Mr. *Wharton* expressed his surprize at a motion for which he could not be at all prepared. If the hon. gentleman objected to one clause, against which alone any objection had been urged, he might propose on Monday to omit the clause; but to propose the entire rejection of the Bill, did really strike him with astonishment. It was, indeed, taking him unawares, for had he expected such a motion he should have taken occasion to enter into details, and to urge the various reasons which induced the preparation of this measure. As to mock auctions and itinerant auctions, the hon. gentleman was mistaken in supposing that they were not productive of great evil. In fact, not only a fraud was committed upon those poor innocent people who were induced to buy at such auctions, but a great encouragement was given to robbery, by the quick and easy means which these auctions afforded for disposing of stolen goods. A case had, indeed, come to his knowledge which illustrated the fact—a gentleman having been arrested in London, and taken to Bow-street upon the charge of stealing a case of pistols found in his lodgings, which pistols were stolen from a nobleman in town, whose house had been burglariously entered some time before. But the gentleman arrested had, it turned out, bought the pistols at one of these mock auctions at Lynn, in Norfolk. Many such sales, however, were, no doubt, made at such auctions, and that was among the reasons which suggested the necessity of this part of the Bill, to which he trusted the hon. gentleman would not seriously object; and as to the part which the hon. gentleman opposed, a proposition to rescind it, would, he submitted, come before the House with much more propriety on Monday next.

Mr. *Huskisson* suggested the propriety of giving a pledge not to press the objectionable part of the Bill on Monday, nor until the next session; and in that case he presumed that the hon. gentleman on the other side would have no objection to withdraw his amendment. But even should the amendment be carried, no public inconvenience could follow, because that part of the Bill which referred to mock auctions, might be again brought forward in a separate Bill.

The *Chancellor of the Exchequer* admitted, that he himself felt some of the objections urged against the part of the Bill particularly alluded to by the hon. gentleman who had just sat down, and by other members also. He intended therefore to propose on Monday certain modifications of the measure, but he felt it his duty to persist in supporting the principle of the first clause, with which his objections were connected.

Mr. *Fremantle* was of opinion, that as so many gentlemen declared their inability to attend on Monday, and as the Chancellor of the Exchequer expressed his determination to persist in the principle objected to, it would be advisable to come to a decision that evening, and therefore he should support the amendment. Indeed, the question was so important, affecting as it did all the landed interest of the country, considering that no less than landed property to the amount of five millions was annually disposed of by auction, and that the auction duty exceeded 380,000*l.* a year, that no time should be lost in disposing of a measure that materially endangered such extensive interest.

Sir *C. Burrell* supported the amendment.

Mr. *Protheroe* disapproved of that part of the Bill, which referred to the sale of landed property, but wished the part relating to mock-auctions to pass into law.

Mr. *Wynn* spoke against the auction duty upon land altogether, thinking that the whole duty should be imposed upon the conveyance, which would serve much to simplify business. Under the provisions of this Bill he thought that great litigation, with some difficulty in making out titles, was too likely to arise, and for this, with other reasons already stated, he should vote for the amendment.

Mr. *Frankland Lewis* conceiving that every day must be calculated to take away from the number of those who were at present disposed to join with him in opposing the present Bill, at least in the objectionable features already pointed out; while, at the same time, the Chancellor of the Exchequer declined giving any assurance that he should not push this part of the measure, on the contrary, that he adhered to the principle of it, he must press his motion.

Mr. *Wharton* said, the clause now objected to was an original part of the present measure.

Mr. *Littleton* thought the measure in many parts objectionable, and that it was incumbent on every landed proprietor to stay in town and oppose it.

Mr. *Whitbread* hoped the right hon. gentleman would consent to the delay proposed. The Chancellor of the Exchequer, he was convinced, had been ignorant of the contents of the clause in question, till he had come into the House that night. He observed the right hon. gentleman, and marked his surprise while he was reading the clause; and hoped, as gentlemen were about immediately to leave town, the right hon. gentleman would either withdraw the Bill intirely, or would divide it into two, throwing aside that part of it which had been represented, and he believed justly, would in its effects be so destructive both to the revenue and to the landed interest.

Mr. *Wortley* was against the clause objected to.

Mr. Alderman *Atkins* should vote for going into the committee, though he did not say he should vote for the clause in question.

The *Chancellor of the Exchequer*, seeing the sense of the House to be against the measure, agreed to put it off.

Mr. *Gooch* remonstrated against the postponement of that part of the Bill which went to suppress mock auctions. By pursuing a middle course, he thought the Bill might be made palatable and serviceable to all parties.

The *Chancellor of the Exchequer* was unwilling to separate the provisions which regarded the fair trader, from those which concerned the revenue.

Sir *James Shaw* entreated his right hon. friend to reconsider the matter, and not by abandoning the Bill, to subject the fair trader to a continuance of those disadvantages under which he now laboured.

The *Chancellor of the Exchequer* said, after what he had now heard from the House, he must persevere in his motion for going into committee on this Bill on Monday.

Mr. *Huskisson* was aware, that this was not the first Bill, containing disagreeable clauses, which the House had been forced to adopt, lest they should lose the benefits expected from the general enactments of the Bill.

Sir *W. Curtis* conceived the evil sought to be checked by the Bill to be so great, that he hoped it should not be lost without a vote. He hoped the right hon. gentleman would agree to divide it into two.

The question for the House going into the Committee on the Bill, on Monday, was then put and negatived without a division; and the Bill was ordered to be committed this day three months.

East India Company's Charter Bill.] Lord *Castlereagh* having moved that the House should resume in a Committee the consideration of the Bill, the Speaker left the chair, and the Committee proceeded to the discussion of the remaining clauses. His lordship called the attention of the Committee to the clause which related to the appropriation of the East India Company's funds. That clause, he observed, had been very generally misunderstood. It certainly was not the design of the framers of the Bill to take out of the Company's hands the application of any funds which they were in legal possession of, and which they might dispose of to the general advantage of the proprietors. The great object in view was, to draw more clearly than it at present existed, and to ascertain with all possible precision, a distinct line between the territorial and commercial transactions of the Company. It was fair, and in every respect reasonable, that the Company, when paying in Europe for the expenditure occasioned by political affairs in Asia, should be enabled to meet the calls thus made upon them; and they might, in that case, be obliged to draw the money requisite for such exigencies from their commercial revenue. This, of course, could be easily effected, by carrying to the next year the excess of payments, if any happened, and by making the deductions which might be necessary. With respect to bills of exchange which were or might be payable for commercial transactions, it appeared perfectly consistent that they should be paid out of the commercial funds. He did not approve of the principle by which the dividends of the Company were settled at 10½ per cent.; but the best guard for securing that per centage, was to prevent the political from pressing upon the commercial expenditure. When he alluded to the per centage of 10½, he meant that in the true sense of commercial speculation, and the general spirit of the country for trade, it would be altogether absurd to call upon the legislature to countenance any proposition for fixing the dividends at that rate. If such a proposition were entertained, it would evidently tend to pledge the legislature to any idle and improvident system which the Company might adopt, for it would be always a settled point that the proprietors should receive their dividends of 10½ per cent. The noble lord concluded, by stating that he should move clauses for distinctly dividing, according to certain regulations, the territorial and commercial funds of the Company, allowing at the same time to them every facility, consistent with the general interests of the empire, for the enjoyment of their political system, and their trading concerns.

Mr. *Tierney* had one question to ask, supposing after payment of the dividend, the commercial profits should not be sufficient to discharge the territorial engagements, from what fund were such engagements to be paid?

Lord *Castlereagh* said, the funds in India would be sufficient to discharge the engagements there. He presumed the Company would not be inclined to hold out that there were not funds in India sufficient to pay the debts in India.

Mr. *R. Smith* was afraid that this fund might be absorbed by wars in India.

Mr. *Robinson* objected to the commercial fund being subject to the appropriation by the Board of Controul, being in that manner liable to be applied to the payment of territorial engagements.

Lord *Castlereagh* replied, that he did not think the hon. member had argued the question very solidly, for it was one of equity, as to the taking the whole of the funds, and not founded upon a distinction of territorial and commercial funds.

Mr. *Tierney* supported the views of the hon. member (Mr. Robinson). He was not prepared to suggest what kind of remedy the case required; but he was decidedly of opinion that some remedy ought to be provided. He wished that the Company should be secured from the necessity of occasional applications to parliament for relief; and he thought that their surplus revenue should be appropriated in such a way as to secure the dividend to the bond-holder and proprietor, and to enable the Company to meet their territorial engagements by supplying the deficit of one year from the excess of another.

Mr. *C. Grant*, sen. argued on the same side.

Lord *Castlereagh* denied that the commercial profits of the Company were to be applied solely to transactions in which their interest was concerned, and contended, that the public had an interest created by the boon of the China trade granted to the Company, in the profits of that trade. Those profits were not to be given the Company as commercial profits, but were reserved as applicable to general purposes of the government of India, and in the management of which government and the public had an undoubted interest.

Mr. *Tierney* wished to obtain from the noble lord a distinct avowal of what was to be the appropriation of the Company's surplus revenue.

Lord *Castlereagh* said, it was not judicious in the Company to claim aid for a case which had never been exemplified: viz. when the China and India trade should not produce a sufficiency to pay the dividend. The China trade, too, could not with propriety be termed the property of the Company. The Company would not, by the clause as it stood, be burthened by the bills of exchange.

Mr. *Tierney* said, the Company only claimed that if 20 years profit amounted to 20 years dividend, they should not be deprived of the latter, on account of the deficiency of any one particular year.

Mr. *P. Moore* said the Company would be in a worse state than before, their commercial affairs being subjected to the superintendance of government.

Mr. *R. Smith* intimated his intention to propose several clauses,—when lord Castlereagh should bring on his propositions concerning the appropriation of the commercial and territorial revenues,—to lay aside a *modicum* for founding schools for the literature of the natives, wherein they should be themselves the teachers; and for communicating the sciences to them through the medium of Europeans.

Mr. *Fawcett* proposed a regulation by which the Company were to keep separate their commercial accounts, which, after some conversation, was withdrawn. Several other clauses were passed, after observations from different members.

On the clause for providing that 20,000 of the King's troops should be maintained in India at the expence of the Company,

Mr. *R. Thornton* objected to the clause, as being a larger number than was hitherto authorised by law to be employed.

Lord *Castlereagh* observed, that although a much smaller number had been stated in the last act, yet it was found, in point of fact, that many more troops were necessary there than was calculated upon at that time, and that the number employed was above 20,000 men. It would not now be argued, that India was not able to maintain her own military establishment; and without, at least, 20,000 troops being employed there, no reasonable confidence could be placed in the security of our Eastern empire. It must be recollected that our territory in the East had nearly trebled since 1793, and that an increased military establishment became necessary.

Mr. *A. Robinson* wished the number of the regiments to be employed there, with the complement of each regiment, to be specified, as he conceived that the Company were now paying for 16 regiments, when they ought only to pay for 12.

Mr. *Tierney* thought it evident, that if the Company were obliged to pay for 20,000 men, they had a right to ask, that to diminish the expence as much as possible, this force should be divided into as few regiments as possible, which should be kept up complete.

Lord *Castlereagh* thought the Company had no right to ask of the state to do that for them which they could not do for themselves. It was the wish of government to have the regiments at home as complete as possible, but it was not possible to keep them all complete. It was, however, the constant practice to send to India the regiments that were the fullest; and it was often found difficult to find a regiment full enough to send to India.

Mr. *A. Robinson* observed that as a regiment in India was a situation of great patronage and profit to the colonel, there was an interest which might be made for having a great number of regiments although in an incomplete state.

After a protracted conversation, the clause was finally agreed to. It was agreed, on the motion of Mr. Robinson, that a list of all the pensions granted by the Court of Directors should be laid before parliament. The clause that the bishop and archdeacons should not engage in trade, was, on the motion of the Chancellor of the Exchequer, expunged as implying a reproach on the clergy.

Mr. *W. Dundas* stated, that the majority of the British, resident in India, were Scotch; and that in consequence of there being no church of their religious persuasion in India, they were prevented from attending divine service. He therefore wished that a clergyman of that persuasion should be sent out to each presidency, with moderate salaries assigned them.

Lord *Castlereagh* said, his right hon. friend was only feeling his ground; but should he succeed on the narrow ground on which he went at present, a principle of great importance would be established—that when an establishment should be made in any of the settlements for the church of England, one must also be made for the kirk of Scotland, and the kirk of Scotland must necessarily be established in all its dependencies.

Several other gentlemen rose to express their opinions on this subject, but on Mr. Lushington remarking that it was irregular to discuss the question, as the right hon. member had made no distinct proposal, the subject was dropped.

Mr. *R. Smith* then proposed two or three clauses relative to the appropriation of a sum of money for the promotion of native literature in the East, for the encouragement of sciences among the natives, and for the establishment of a native college or colleges.

Mr. *Grant,* sen. though friendly to the encouragement of literature and science, conceived that it was going too far to establish a college for the continuation of native prejudices and errors; in fact, to institute a Mahometan college for the Mahometan religion.

Lord *Castlereagh* professed himself friendly to the principle of the clauses, though he thought there might be some objection to the method of carrying it into effect.

The clauses were then received, with an understanding that they should be debated on the Report.

Mr. *W. Dundas* then proposed a clause for the appointment of three Scotch clergymen, one at each presidency, with a salary of 1,000*l.* per annum each.

Mr. *W. Smith* thought the House would act inconsistently, if it adopted the last clause and rejected this.

Lord *Castlereagh* insisted that the House had not adopted the last clause except for discussion, and that they appeared disinclined to this.

Mr. *Horner* maintained that the church of Scotland was as much a national establishment as the church of England; and unless it was agreed, that India belonged to England and not to the United Kingdom, all those motives of decency, dignity, and decorum, which applied in support of a church establishment, went also to favour the support of the Presbyterian church, especially as it had been stated that the Scotch in India exceeded the English by two to one.

The *Chancellor of the Exchequer* thought the argument went too far: it went to say that wherever there was an establishment for the Church, there should be one also for the Presbytery.

Mr. *Grant,* sen. thought the clause ought to be adopted.

Mr. *Finlay* supported the clause.

A division then took place.

For the Clause - - -	18
Against it - - - -	20
Majority against it - -	—2

The different clauses having been gone through, the chairman obtained leave to report the Bill with the amendments to the House. The Report was then brought up and ordered to be taken into further consideration on Monday.

HOUSE OF LORDS.

Monday, July 5.

East India Company's Affairs.] The Earl of *Lauderdale* was desirous to know whether ministers thought that they could in common decency press forward the India Bill this session, when within the last eight days provisions had been introduced into it, totally altering the nature of the Resolutions which had been before that House. He particularly alluded to the provision by which the Company were to be allowed to take for their India investment, as much of the territorial revenue in India as would amount to a sum equal to what they had advanced in this country in the antecedent year, in payment of the Indian territorial debt. This sum was to be applied to their commercial investment, without regard to the state of the markets, or the demand for commodities, and would be equally ruinous to the Company, and to the private trader. A more extraordinary provision never was heard of; and if it were insisted upon, he would oppose the Bill in every stage. It was a perfect farce to say that the Resolutions had been already before them, when they were to have a Bill of a quite different nature.

The Earl of *Buckinghamshire* said, that neither ministers nor parliament, were by the adoption of the Resolutions, precluded from making whatever alterations might appear proper and necessary. The Bill, at any rate, was not now before them; and he admitted that it would, perhaps, be improper, at all events and under all circumstances, to apply to the Indian investment sums equal to those advanced here in payment of the territorial debt; but that would be matter for after-consideration.

The Earl of *Lauderdale* still insisted that the private trader would be injured, and that the Company would suffer by overloading the China market, or inundating this country with Chinese goods. He thought it disrespectful to the House to urge forward these important provisions without the possibility of giving them due attention and consideration.

MR. PALMER'S PER CENTAGE BILL.] The Earl of *Liverpool* adverted to the Bill before the House, relative to Mr. Palmer's claims, observing that he had always opposed those claims, as put forth on the ground of right. He would not, however, say what reward the crown might be disposed to bestow on Mr. Palmer, for the service which he had undoubtedly rendered; but, under these circumstances, should move to postpone the second reading of the Bill for three months.

The Earl of *Lauderdale* said he had also always opposed this claim, conceiving that Mr. Palmer had no right to the remuneration he asked. Mr. Palmer, however, had certainly rendered some service in point of expedition in travelling, and celerity in the conveyance of letters, and it might be for the consideration of the crown what reward should be given to him for that service.

The second reading of the Bill was postponed for three months.

HOUSE OF COMMONS.

Monday, July 5.

LORD COCHRANE'S RESOLUTION RELATIVE TO THE STATE OF THE NAVY.] Lord *Cochrane* rose pursuant to notice, to bring forward his motion, for increasing the remuneration and limiting the service of seamen. He thought it was his duty to lay before the House, the reasons why our seamen preferred the merchant foreign service, to that of their own country, to enter which they discovered a very great reluctance. The facts by which he meant to prove this, he had compressed into one Resolution, as he was anxious that when the members of that House retired from their parliamentary duties, they might consider these facts at their leisure, and satisfy themselves of the correctness of the statement, in order that when they met again, they might have no hesitation in adopting some propositions, the object of which would be the redress of those grievances which were the subject of it. As he did not conceive that any objection could be made to the mode of proceeding he had adopted, he would not occupy the time of the House any longer than by reading the Resolution. The noble lord then read the following Resolution:

"That the honour of his Majesty's crown, the glory and safety of the country, do, in a great degree, depend on the maintenance, especially in time of war, of an efficient naval establishment:

"That, during the late and present war with France, splendid victories have been gained by his Majesty's fleets and vessels of war over a vast superiority in the number of guns and men, and in the weight of metal:

"That these victories, thus obtained, were acquired by the skill and intrepidity of the officers, and by the energy, zeal, and valour of the crews:

"That, during the present war with the United States of America, his Majesty's naval service has, in several instances, experienced defeat, in a manner and to a degree unexpected by this House, by the Admiralty, and by the country at large:

"That the cause of this lamentable effect is not any superiority possessed by the enemy either in skill or valour, nor the well-known difference in the weight of metal, which heretofore has been deemed unimportant; but arises chiefly from the decayed and heartless state of the crews of his Majesty's ships of war, compared with their former energy and zeal, and compared, on the other hand, with the freshness and vigour of the crews of the enemy:

"That it is an indisputable fact, that long and unlimited confinement to a ship, as well as to any other particular spot, and especially when accompanied with the diet necessarily that of ships of war, and a deprivation of the usual recreations of man, seldom fails to produce a rapid decay of the physical powers, the natural parent, in such cases, of despondency of mind:

"That the late and present war against France (including a short interval of peace, in which the navy was not paid off,) have lasted upward of twenty years, and that a new naval war has recently commenced:

"That the duration of the term of service in his Majesty's navy is absolutely without any limitation; and that there is no mode provided for by law, for the fair and impartial discharging of men therefrom; and that, according to the present practice, decay, disease, incurable wounds, or death, can alone procure the release of any seaman, of whatever age or whatever length of service:

"That seamen who have become wholly unfit for active service, are, in place of being discharged and rewarded according to their merits and their sufferings, transferred to ships on harbour duty, where they are placed under officers wholly unacquainted with their character and former conduct, who have no other means to estimate them but on the scale of their remaining activity and bodily strength; where there is no distinction made between the former petty officer and the common seamen; between youth and age; and where those worn out and wounded seamen, who have spent the best part of their lives, or have lost their health, in the service of their country, have to perform a duty more laborious than that of the convict felons in the dock yards, and with this remarkable distinction, that the labours of the latter have a known termination:

"That, though the seamen thus transferred and thus employed have all been invalided, they are permitted to re-enter ships of war on actual service; and that such is the nature of the harbour duty, that many, in order to escape from it, do so re-enter, there being no limitation as to the number of times of their being invalided, or that of their re-entering:

"That to obtain a discharge from the navy by purchase, the sum of 80*l.* sterling is required by the Admiralty, which, together with other expenses, amounts to twenty times the original bounty, and is equal to all that a seaman can save, with the most rigid œconomy, during the average period in which he is capable of service; that this sum is demanded alike from men of all ages, and of all lengths of servitude, from those pensioned for wounds, and also from those invalided for harbour duty; thus converting the funds of Greenwich, and the reward of former services, into a means of recruiting the navy:

"That such is the horror which seamen have of this useless prolongation of their captivity, that those who are able, in order to escape from it, actually return into the hands of government all those fruits of their toil, which formerly they looked to as the means of some little comfort in their old age:

"That, besides these capital grievances, tending to perpetuate the impress service, there are others worthy the serious attention of this House: that the petty officers and seamen on-board of his Majesty's ships and vessels of war, though absent on foreign stations for many years, receive no wages until their return home, and are, of course, deprived of the comforts which those wages, paid at short intervals, would procure them; that this is now more severely felt, owing to the recent practice of postponing declarations of war until long after the war has been actually begun; by which means the Navy is deprived, under the name of Droits, of the first fruits and greatest proportion of the prize money to which they have heretofore been entitled; and thus, and by the exactions of the Courts of Admiralty, the proportion of captures which at last devolves to the navy is much too small to produce those effects which formerly were so beneficial to the country:

"That while their wages are withheld from them abroad, when paid at home, which, to prevent desertion, usually takes place on the day before they sail out again, having no opportunity to go on shore, they are compelled to buy slops of Jews on board, or to receive them from government at 15 per cent. higher than their acknowledged value; and being paid in Bank notes, they are naturally induced to exchange them for money current in other countries, and which it is notorious they do at an enormous loss:

"That the recovery of the pay and prize money by the widows, children, or relatives of seamen, is rendered as difficult as possible; and, finally, the regulations with regard to passing of the examination requisite, previous to an admission to the benefits of Greenwich Hospital, subject the disabled seaman to so many difficulties, and to such long delays, that, in numerous cases, he is compelled to beg his way in the pursuit of a boon, the amount of which, even in event of the loss of both eyes or both arms, does not equal that of the common board wages of a footman.

"That one of the best and strongest motives to meritorious conduct in military and naval men, is the prospect of promotion, while such promotion is, at the same time, free of additional expence to the nation; but that, in the British naval service, this powerful and honourable incitement has ceased to exist, seeing that the means of rewarding merit has been almost wholly withdrawn from naval commanders in chief, under whose inspection services are performed; in fact, it is a matter of perfect notoriety, that it has become next to impossible for a meritorious subordinate petty officer or seaman to rise to the rank of lieutenant; that in scarcely any instance promotion or employment is now to be obtained in the navy, through any other means than what is called parliamentary interest—that is to say the corrupt influence of boroughs.

"That, owing to these causes chiefly, the crews of his Majesty's ships of war have, in general, become in a very considerable degree worn out and disheartened, and inadequate to the performance, with their wonted energy and effect, of those arduous duties which belong to the naval service; and that hence has arisen, by slow and imperceptible degrees, the enormous augmentation of our ships and men, while the naval force of our enemies is actually much less than in former years.

"That, as a remedy for this alarming national evil, it is absolutely necessary that the grievances of the navy, some of which only have been recited above, should be redressed; that a limitation of the duration of service should be adopted, accompanied with the certainty of a suitable reward, not subject to any of the effects of partiality; and that measures should be taken to cause the comfortable situations in the ordinary of the dock-yards, the places of porters, messengers, &c. &c. in and about the offices belonging to the sea service, the under wardens of the naval forests, &c. to be bestowed on meritorious decayed petty officers and seamen, instead of being, as they now generally are, the wages of corruption in borough elections.

"That this House, convinced that a decrease of energy of character cannot be compensated by an augmentation of the number of ships, guns, and men, which is, at the same time, a grievous pecuniary burden to the country, will, at an early period next session, institute an inquiry by special committee, or otherwise, into the matters above stated, and particularly with a view to dispensing suitable rewards to seamen; that they will investigate the state of the fund of Greenwich Hospital, and ascertain whether it is necessary to apply the Droits of the Admiralty, and the Droits of the Crown, as the natural first means of compensation to those who have acquired them by their valour, their privations, and their sufferings."

Sir *Francis Burdett* seconded the Resolution.

Mr. *Croker* thought, that when the noble lord had adopted his present method of proceeding, and determined to embody in a series of resolutions all the facts he imagined himself to have collected together, with his reasonings upon those facts, he would have acted only consistent with the courtesy of parliament, had he given notice of his intention to those persons whose duty it might be to take part in any discussion that might arise. The hon. gentleman said he was one of those persons who would have felt themselves obliged by any information the noble lord might have imparted; but though wanting any such, he had come unprepared into the House to meet the noble lord's Resolution, he should be wanting in his duty, if he did not state most positively, that, excepting the tribute of just praise, which, in the commencement of his Resolution, the noble lord had paid to the gallantry and heroism of our own seamen, every other part of it was liable to the charge of being wholly unfounded in fact, or very much indeed exaggerated. He could wish that the noble lord had brought forward his Resolution at an earlier period of the session, as he did not choose to give that fair notice of his intentions, the want of which he had already complained of. The statements those Resolutions contained were so astonishing, true it was less astonishing, when coming from the noble lord, than from any other person;—but still even from him they were so astonishing, that surely they ought not to have been so suddenly, and with so little preparation, brought under the consideration of the House. There was no one but the noble lord who conceived that the disasters, which we had experienced in the course of the present war with the United States, were not to be attributed to a superior force on the part of the enemy, but to a decay of spirit and ardour in our seamen in the defence of their country. Was the crew of the Java then, who had maintained so stubborn a conquest, dispirited? Was the crew of the Macedonian disheartened and reduced by hard usage to imbecility and cowardice? So far was that from being the fact, that it was in the latter part of the action the spirit of the crew of the Macedonian was most conspicuous, that the spirit of her officers and her brave commander was most conspicuous, and that brave commander and those gallant officers, whose reputation had never been touched by the breath of calumny, before that which had just issued from the lips of the noble lord. So little broken was the spirit of that crew which the noble lord had described as utterly heartless and imbecile, that till the very last they met the attacks of the enemy with loud and repeated cheers, and those cheers were begun by the wounded in the cockpit. An hon. friend had just reminded him of a circumstance which had occurred in the course of the action, in which the Java was unfortunately captured, which he would now state to the House, and which the noble lord might take if he pleased as a further proof of the want of spirit and energy of which he complained. A petty officer of the ship, named John Hinnbold, one of those disheartened men on whose hardships the noble lord had dwelt, had his arm carried away, and was obliged, in consequence, to undergo the operation of the turniquet, or, to use the simple language of the gallant fellow himself, as delivered on the court-martial, " he went below to have his arm put to rights;" and having had his arm put to rights, having undergone the operation of that dreadful instrument, he came up on deck immediately, in order to cheer the boarders with his pipe. There was a remarkable instance of decayed spirit, for the noble lord! Now for another fact on which the noble lord had formed his Resolution. He had stated that seamen were obliged to purchase their discharge by no less a sum than 80*l.*, no matter what was the condition of the individual, old or young, infirm or healthy. Now, he had to state most positively that this was not the case. The sum specified might, indeed, be required from able seamen, who wished for their discharge; but the sum of 40*l.* only was required from ordinary seamen; from ordinary seamen transferred to harbour duty, only 30*l.*; from persons who were originally landsmen, not more than 20*l.* And he had to state further, that many persons transferred to harbour-duty, and considered unfit for service, were discharged without any consideration whatsoever. The noble lord had stated formerly in the House, the case of a harbour-duty man who had been obliged to pay 80*l.* for his discharge. When the noble lord had thought proper to make that statement, he had answered in his place that he could not take upon him to vouch for the individual case, but he had also stated, that if the hardship had occurred, it did not form part of a general system. He had, however, subsequently been at considerable pains to discover the particular case alluded to by the noble lord, and had examined every document in which he thought it could be traced, but in vain—he could find nothing of the kind; he had then applied to the member for Bedford to procure for him the name of the man from the noble lord, but this had not been done, and he had never had the pleasure of seeing the noble lord since. Now he thought, that under such circumstances the noble lord should have abstained from receiving the statement unless he was disposed to give the name of the individual, and thus supply the means of confuting it. Our seamen, said the noble lord, were heart-broken; they would, indeed, be heart-broken had they heard his Resolutions, that was provided always, though he retained so much authority with them, as would impart to his unjust assertions, with respect to them the power of inflicting pain which they would once unquestionably have possessed. They would be heart-broken if the House passed a resolution which constituted the grossest libel that was ever put forth against them. Formerly, said the noble lord, they were full of vigour and life under a better system, now they were deprived of every comfort, penned up on board of ships which were rendered prisons to them, and their health injured by defective sustenance. Now, he had to state an improvement in the condition of those men whose hardships the noble lord then deplored, which would enable them to form fair conjectures as to the justice of his statement in general. A practice had been adopted within these few years of granting seamen leave of absence on a plan more liberal and better adapted to promote their comfort than any that had been previously thought of. When a ship returned from a foreign station, all the men, who had three years' pay due to them got leave of absence for three months, for the purpose of enabling them to visit their friends; if the individuals were Scotch or Irish, the time was prolonged. This practice was now so well understood, that every ship's company looked upon it as a matter of right, and he was happy to say, that though ill effects had been expected to result from it, the expectation had been found delusive. Several officers had anticipated desertion, others a relaxation of discipline, but he was happy to have to state, that so far from their expectations being answered, the men returned to their duty with their minds refreshed, new strung, and better fitted for the toils imposed on them by their duty, and much fewer desertions took place since the adoption of such a system of indulgence than before it. He stated this to show what a tissue of false premises as well as false inferences were contained in the Resolution of the noble lord. The noble lord's Resolution asserted, that there was no fair system of promotion in the navy, that every thing was conducted upon a principle of corruption. Was, then, the commission of the noble lord himself given him upon such a principle? Did he obtain the red ribbon which was, before him, never given to an individual of his rank, through corruption? Was it through corruption that a relative of the noble lord's had made his way to the top of his profession, and had been appointed governor of Guadaloupe? Was it through corruption that the influence of the noble lord had had considerable weight in effecting the promotion of those persons on whose behalf he had used it? He was aware that an answer to this last question in the affirmative might be grounded upon the assumption that the naval acquaintance of the noble lord were persons of little worth, and such as could owe their promotion to nothing but corruption: but he who well knew the reverse, would not allow him even this miserable refuge. Was the promotion of captain Duncan the effect of corruption? Were the honours which that gallant officer's father had obtained the result of corruption? The friends of the noble lord had felt the benefit of his interference, and much was it to be wished that it had been confined to promote their wishes and through them the interest of the country, and had never been mischievously exercised on such occasions as the present. Did not the noble lord recollect when he had left his ship that he had been consulted as to who was the fittest to succeed him, and that his recommendation had been acted upon? If, indeed, he had never left that ship it would have been well for his own reputation as it would have been well for the interests of his country. Most heartily did he wish the noble lord had staid in her to be serviceable to the public instead of coming here to be the reverse. The noble lord loved to deal in generals. He talked loud about corruption, but he wished him to state who paid and who received the wages of corruption. Perhaps he would state who those culpable individuals were. Unprepared as the noble lord had thought it right that he (Mr. C.) should come there, he would not say that in that case he would rebut his charges, but if he would condescend to state names he would consider it his duty to ground inquiries thereon, and, on the result of those inquiries, ground a statement to the House. He was conscious that he had spoken with much heat, and hoped for the indulgence of the House. But he could not say that he had not meant to reprehend, and that with as much severity as he could use, the conduct of the noble lord—that he did not mean to set in as strong a light as possible, the futility of those labours of six months duration, which had so engrossed the noble lord that he had been unable to attend his parliamentary duty, and which he now imagined would enable him to call out in triumph to his constituents, "behold, if I have appeared to desert my duty, I have only appeared to do so, I have not spent my time in idleness, here are the fruits of my industry, here is the operose conclusion of my labours, and the debt you, my constituents, suppose me to have contracted, you now find fully liquidated." He wished the noble lord could think it possible, as it was really fact, that there could exist very warm feelings for the interests of the navy in other bosoms as well as his own. He had stated, that as many difficulties as it was possible were thrown in the way of seamen receiving their wages and prize-money, and he had described his right hon. friend (Mr. Rose) as a dark conspirator, who contributed as far as he could to raise obstacles to their receiving them, when the fact was notorious that the chief business of his right hon. friend's life was to remove all obstacles begotten by untoward circumstances. Cannot you, Sir, continued the hon. Secretary, addressing himself to the Speaker, cannot you yourself testify that such has been the object of my right hon. friend? Have you not been frequently occupied in passing Prize Acts? Are you not aware that as soon as a flaw that may produce inconvenience is discovered in any of the existing Acts, a Bill is brought in to obviate any ill effects that may result from it? Now, I beg the House to recollect, that these accusations of the noble lord have not been couched in a fleeting and evanescent speech, but have been regularly arranged in a written document, which it is the wish of the noble lord should be studied by every member in the leisure which the cessation of parliamentary duty would allow him. The noble lord I contend has taken a very unfair method of conveying his opinions, he would have acted more fairly in making them the subject of a pamphlet. If he had done so, I have certainly not much time for writing, but out of respect for the noble lord, I should certainly have answered him, and I should have been glad of an opportunity of answering him, when I could have used freely those terms which he has deserved should be applied to him. I must express my sanguine hope, that the House will not, by adopting such resolutions as those moved by the noble lord, sanction the gross libel which they contain against the navy, against parliament, and against the country. I wish to lay aside all little considerations, to suppose that the Resolutions are not meant to apply more to the persons now engaged in the management of our naval affairs than their predecessors, but if it be otherwise, still I wish to sink any feeling that might be supposed to arise in my mind in consequence, and to answer the noble lord only as the defender of that gallant body of men who have stood so long forward as our firmest bulwark against the violence of our foe, and who are well entitled to the warmest feeling of gratitude we can cherish toward them. I hope, therefore, that if the noble lord does dare to push the House to a division, that he will be left in a minority, such as will not merely mark their sense but also their indignation.

Mr. *Lockhart* hoped that the noble lord, a naval captain, would not press such a motion, including, as it did, on his part, a doubt as to the bravery of the British navy. He should have expected from the noble lord, that he would rather have taught our seamen confidence in their own valour and exertions, than to doubt that they were as valiant and energetic as formerly.

Sir *F. Burdett* said, that the hon. Secretary had indulged in a warmth and a severity of animadversion, which the occasion by no means justified. His noble friend had asserted much, and the hon. gentleman had denied much, and that on a very important subject; but it remained to be seen who was in the error. He was willing to admit, that the late period of the session rendered the motion inexpedient; but he conceived, that if his noble friend was induced to withdraw it, he would feel himself in duty bound to bring it forward at an early period of the ensuing session, when of course the present strong objections to it would be removed. The hon. member had taxed his noble friend with exaggeration; but it was impossible to conceive any thing more exaggerated than the whole of the hon. gentleman's speech. He had stated his noble friend to have described our seamen as having wholly lost the energy and valour which had once distinguished them. Now, his noble friend had never so described them: he had stated, that their spirits were depressed by long confinement and various other hardships; but he had never stated that their hearts were subdued, or that when brought into action they did not forget every thing but that they had their own character and the character of their country to support. The hon. baronet then proceeded to contend, that as it was not denied that in some cases the sum of 80*l.* was taken for the discharge of a seaman, his noble friend's assertion on that head had not been refuted, and went on to remark on the impropriety of the harbour-duty men being mixed with convicts.—(No, no! from the Treasury benches.)—He knew nothing of the matter, and therefore he would support the inquiry, because the facts stated were of the last importance, and it ought to be generally known whether they were correct or incorrect. He hoped his noble friend would not withdraw his Resolutions without giving notice that he would bring them again under the consideration of the House at an early period of next session.

Mr. *Rose* could not allow the assertion to go uncontradicted, that obstacles were thrown in the way of the payment of wages and prize-money. The utmost facility was on the contrary, given to every application, and the bonds alluded to by the hon. baronet were taken as guards to prevent imposition and fraud. It became the duty of the clerks to withhold information from persons who might convert it to improper purposes; but those fairly entitled to it had at all times easy access to the nature and extent of the claims in question.

Mr. *Calcraft* bore testimony to the regulations according to which the payment of wages and prize money was conducted. They were, he could say, from his own personal experience in applying for others, carried into effect with great punctuality and precision. The noble lord's Resolutions, he believed in his heart, were calculated to do more mischief than almost any others that could be framed: and the time which he chose to bring them forward at, the end of the session, made them still more dangerous. The hon. baronet had admitted that he knew little of the subject, and he was confident that if the hon. baronet had but read them, he would not have given them his support. The hon. member opposite had, indeed, spoke with warmth, but he had spoken with clearness, with propriety, and with effect. It was impossible to read one of the Resolutions, which ascribed our late losses to the decayed and heartless state of our crews—not to the superiority of the enemy's ships, and weight of metal—without the strongest emotions of indignation; and when he considered that it came from a noble lord, who owed all his distinction to those decayed and heartless seamen, he felt himself justified in calling it a libel of the very worst kind. It was an unfounded attack upon the honour and valour of our officers and crews. The Resolutions were, indeed, a tissue of groundless assertions, and might be justly considered as so many gross reflections and libels upon the character and glory of the navy. Such vague and unauthorised statements were calculated to do much mischief. He trusted, however, that the House would mark their reprobation of such a proceeding, and he felt assured that there was not one man in the House, save the hon. baronet, who would support it.

Mr. *Wrottesley* begged to add his testimony to that of the hon. gentleman who had spoken last, as to the facility of recovering the pay due to the navy.

Mr. *Staniforth* confirmed the statements made as to the satisfaction given by the lords of the Admiralty in every case where a fair statement was made for the purpose of obtaining a discharge. He begged also to state, that no exertion of parliamentary influence was necessary, but a simple statement of facts entitled to credit.

Lord *Cochrane* replied. He said he was not displeased at the warmth with which his proposition had been met. It certainly would be injurious to no one, except to the feelings of certain members of that House. The hon. Secretary had met his statements with individual instances of gallantry. The existence of these he did not deny; but he asserted, that the physical power of our seamen was decreasing, partly from the length of the war, and partly the system of harbour duty, established in 1803, from which service decayed seamen re-entered the navy. He had heard that the system was about to be changed; and he should be happy to learn from the hon. Secretary that such was the fact. The hon. Secretary had challenged him to shew an instance of a petty officer having purchased his discharge from such service. He would name a William Ford, who had served with him in the Imperieuse, who had done so, Nelson, his coxswain, and a person of the name of Farley, who had been returned to him, and died on board, completely worn out in the service. These were facts which he was prepared to prove at the bar, as he was all those which had been denied with so much warmth by the hon. Secretary. To shew farther that the crews of British ships of war were unequal to themselves heretofore, he would relate what was the opinion of a person not at all likely to be disaffected to the order of things—he was the son of a bishop, who had taken an American privateer, the crew of which consisted of only 130 men, and he had declared publicly that he would rather have them than the whole of his own crew, consisting of 240. If the hon. Secretary doubted this fact, he might enquire, and he would easily verify it. The noble lord had heard that the sailors taken prisoners by the Americans, had been found running away into the back settlements; that forty of them had been brought back by force, and that from the manifestation of this propensity, the exchange of prisoners had been broken off. The lateness of the period at which he had brought forward his Resolution had been complained of. He did intend to bring in a Bill to limit the term of service, but circumstances had prevented him: but he would carry his intention into effect in the next session. With respect to parliamentary influence, the hon. Secretary had asked, whether he had found it of service to himself in his profession? He certainly had not, because he had never prostituted his vote for that purpose; but he knew others who had found that influence of great avail. When he again brought forward the subject, he should prove all the facts he had adduced, and he hoped so much ignorance of important facts would not then be found to prevail. He had chosen the present form of his motion in order to put his sentiments on record in a way not susceptible of misrepresentation.

Mr. *Croker* replied to the questions put by the noble lord, that the government had at all times been very watchful over the harbour duty, but that it had not taken any new steps since the suggestions of the noble lord. He had never heard of any disposition in the seamen, taken by the Americans, to run away to the back settlements; nor of forty men being brought back by force. The exchange of prisoners was broke off, in consequence of some wrong done to the British seamen, and not in consequence of any fault of theirs.

The Resolution was then negatived without a division.

STIPENDIARY CURATES' BILL.] On the order of the day for going into a Committee on this Bill,

Mr. *Dickenson* opposed the Bill as an encroachment on the freehold property of the church. The principle which this Bill laid down of paying curates out of the profits of the livings of the incumbents, would authorise enquiry into the emoluments of bishops, deans, canons, and prebendaries—into the practice of *commendam*—and any other parts of the church establishment. The emoluments of the official persons he had mentioned would be held as a better source from whence the revenue of curates might be supplied, than the profits of incumbents little richer than the persons to be benefited. The only good thing in the Bill was an appearance of *bon-hommie*, in wishing curates to be well paid,—without, however, devising any good means for doing so. If curates were to be paid out of the emoluments of the clergy, the charge should fall on the highest as well as on the lowest.

Mr. *Abercromby* supported the Bill, which was consistent with the principle of former Acts, and with the conditions on which the freeholds of the church were held; namely, the due performance of sacred duties. The Bill went to secure an adequate compensation to him who discharged the duties of another who ought to discharge them himself. If a bishop of Durham, for instance, performed his various duties by a deputy, at a few hundreds a year, the principle would fairly apply to such a prelate. The Bill was the best protection for the church, either with respect to its own character, or to the inroads of the growing numbers of sectaries, from whom the greatest danger to the church was to be apprehended. He was a sincere friend to a moderate, temperate, orderly church government, and approved of the lenient conduct of the established church, rather than the rigid system of those who were detached from it, greatly, he believed, from the inefficiency of the establishment. They were the worst friends of the church who opposed such measures.

Mr. *John Smith* considered the means and the end of the Bill, and maintained that the former were harsh, and that the latter was not desirable. The clergy would in no way be benefited by the measure. It would be an invasion of private property; transferring in one-fourth of the livings in the kingdom the benefice from the incumbent to the curate; and operating with a most undue severity on the incumbents possessed of small livings. If there was a stern necessity for such a measure, it ought to fall lightly on the poorer and heavily on the richer class of incumbents. Under all these circumstances he should oppose the Speaker's leaving the chair.

Mr. *Rose* maintained the necessity of the Bill, and compared the situation of those curates who had small salaries with many artificers and other workmen who enjoyed an income of much greater value. He pointed out, in particular, the expediency of defending the curate from the oppression of the incumbent. He deprecated any attempt to touch the property of the church; but he contended that the legislature ought to take care that that property was well applied to secure those objects for which the church was established.

Mr. *Wetherall* opposed the Bill, contending that the order of poor incumbents would be much more injured than the order of curates would be benefited by it. It was not a tax upon opulence to support indigence; but it was a tax upon indigence to support indigence.

Sir *Mark Wood* described the wretched state of the curates in that part of the country which he had the honour to represent, and trusted that the House would agree to a measure calculated to relieve them. At present they were frequently under the necessity of doing the duty of three or four churches, and the consequence was, that the duty was so ill done, that the churches were deserted for conventicles.

Mr. *Pole Carew* thought that the object which the framers of the Bill had in view would not be obtained by it. It was a measure which violated the long established principle that the wages of labour should be allowed to find their own level. It was an unnecessary interference with the episcopal authority, and tended to set the incumbent and the curate at variance with each other.

The *Chancellor of the Exchequer* supported the Bill. Under the existing system, many parishes were left without the performance of any duty in them, or at best with the duty so performed, as to drive the inhabitants into the meeting-houses of sectaries. Most of the objections that had been made by hon. gentlemen were applicable not to the principle of the Bill, but to some of the clauses, and ought, therefore, to have been reserved for the committee.

The House then resolved itself into a committee, when the Bill received some amendments, and a clause was introduced on the motion of the Chancellor of the Exchequer, for empowering the bishop to deduct a part of the curates' salary towards keeping the parsonage house in repair. The Report was ordered to be taken into farther consideration on Wednesday.

East India Company's Charter Bill.] On the order of the day for taking into further consideration the Report of the East India Company's Charter Bill being read,

Lord *Castlereagh* said, as in going through the detail of a long Bill, some inaccuracies had occurred in several of the clauses, he thought the best course they could take would be to recommit the Bill *pro forma* to night, and print it as amended, the Report could then be brought before them to-morrow in a more complete form, and he hoped gentlemen would have no objection to defer till the Report was so brought up, any further discussion that might appear desirable.

Mr. *Tierney* strongly protested against this precipitancy: the noble lord proposed new clauses, which he very composedly talked of having printed in the course of the night and to have the debate to-morrow, when he knew so many members must be in attendance at the public breakfast at Carlton House. This was not decent; since that House had been a House, never was any business so scandalously conducted. It was an insult to the House, to the Company, and to the country. The noble lord also thought of forwarding the Bill, even with accelerated expedition in the Lords—and possibly when the Bill went to their lordships, there would not be above 15 peers to debate and deliberate upon it. Oh, admirable decency! The third reading of the Bill would take place when nearly all the members would be out of town, and at such a time a minister was as absolute in power as any man possibly could be in Turkey. The noble lord ought to have a little consideration for the sake of decency, especially when it was remembered how the morning of the forth-coming day was to be occupied. If others had pressed the noble lord for this expedition, he would have referred to that fact, and would have said, "What! can you be so unreasonable as to expect me to be debating here, when I ought to be breakfasting at Carlton House—you ought, gentlemen, to consider!" Time ought certainly to be given to take the opinion of the Court of Proprietors upon the Bill, to know whether they would accept it or not.

Lord *A. Hamilton* thought further opportunities ought to be given for fully discussing the measure, and wished time to be taken to ascertain the sentiments of the East India Company.

Mr. *Peter Moore* maintained, that before this measure could be finally adopted, the Company ought to be consulted, which could not be done but on a general assembly of proprietors, which the directors had not yet called, because they could not see their way clearly through the Bill; and from day to day, their perplexities were increased by the alterations made in the measure. He hoped at least, that the noble lord, in justice, in candour, or even in indulgence, would grant them time sufficient to understand the Bill; that he would in consequence delay the third reading, and, previous to that, give the explanations he had promised on some doubtful and disputed clauses.

Lord *Castlereagh* replied, that as the other House might agree with them, or dissent from them altogether, it was useless to endeavour to obtain the assent of the Company to the measure before it had passed the Lords. So far from its not being known, whether or not it would be accepted by the Company, appearing to him a reason for staying their proceedings, he thought it an argument in favour of accelerating them. It was not intended to inflict this measure on the East India Company. They would certainly be at liberty to accept it or refuse it, but whichever were ultimately resolved upon, he thought it must be the wish of the proprietors that the question should be disposed of by parliament as soon as possible. With respect to the observations of the right hon. gentleman (Mr. Tierney) he had only to say, as he had been so unfortunate as to incur his displeasure, every time the subject had come before the House, during the four months that this 'hurried' measure had been in progress, and as he could not now hope to redeem himself in the right hon. gentleman's estimation, he must continue to pursue that course which appeared to him most conducive to the public interest.

Mr. *Tierney* said, the noble lord, far from improving, as the measure advanced to maturity, grew worse and worse, and it seemed his remonstrances had only the effect of making him a more hardened sinner. He wished to know what the noble lord intended to do if the charter were refused by the directors of the East India Company? This was a question which he believed the noble lord was not prepared to answer. Had he reflected that if this were done he would have to bring in another Bill on the subject even at this late period of the session?

Mr. *W. Smith* agreed with much of what had fallen from his right hon. friend, but thought the East India Company, if wise, would accept of a charter which went a great way towards giving them their 10 per cent. which, from the manner in which they conducted their affairs, they were not likely to make in any other way.

Mr. *Tierney* hoped the hon. gentleman would allow the Company to have an opinion on that subject.

Mr. *P. Moore* denied that the insinuation thrown out by the hon. gentleman was well founded.

The Bill was then re-committed *pro forma,* and some verbal change was made in some of the clauses.

Mr. *Tierney* proposed that they should again go into the committee to-morrow, that the Report should be received on Wednesday, and the third reading be fixed for Monday. This proposition was not acceded to. The House resumed, the Report was received, and the Bill ordered to be re-committed to-morrow, and printed as amended.

HOUSE OF COMMONS.

Tuesday, July 6.

ITINERANT AUCTIONEERS' BILL.] Mr. *Lockhart* rose, in pursuance of his notice, to move for leave to bring in a Bill to prevent frauds on the revenue, and to put an end to the injury which was done to the fair trader by itinerant auctioneers. As this Bill would be in a great measure founded upon the Bill which the Chancellor of the Exchequer had withdrawn, he hoped to have that right hon. gentleman's assistance in its progress through the House. In addition to the clauses which were already prepared, it was his intention to introduce others, the objects of which would be, first to prevent auctioneers from giving a fraudulent description of themselves by assuming the name of persons more respectable than themselves in business; next, to prevent the sale of goods under false descriptions, by calling them the property of insolvent persons and bankrupts when they really were not so, thereby giving them a value in the eye of the purchaser, which they did not possess; and, thirdly, to provide that no person should sell goods by auction, unless he had obtained his license for three or four months. This regulation was to prevent persons from taking out licences for the mere purpose of effecting one sale to the injury of the fair auctioneer. He should introduce another clause to regulate the duty upon goods bought in. He thought that such goods in general should pay a mitigated duty of one-fifth of the ordinary demand; and with respect to lots not worth more than *5l.* he thought they ought to pay at all times an advanced rate of duty whether sold or not, as by this means many frauds on the unexperienced purchaser would be prevented. The hon. gentleman, after dwelling on the necessity of the adoption of some such measure as that which he had proposed, by the legislature, concluded by moving for leave to bring in a Bill to prevent frauds against the revenue and injuries to fair trade, by itinerant and other auctioneers.

Mr. *Harvey Combe* seconded the motion, and hoped the Bill would be carried.

Sir *James Shaw* said, he hoped it was the intention of the hon. gentleman to exempt foreign freight from the operations of his Bill. If it was not, he should feel it his duty to oppose it. To a Bill for the abolition of those fraudulent auctions, which were continually carrying on in the city of London, he should be happy to give every assistance in his power.

Mr. *Protheroe* trusted the right hon. the Chancellor of the Exchequer would lend his aid towards facilitating the progress of this Bill, as it was absolutely necessary it should be passed for the protection of the fair trader.

Mr. *W. Smith* said, it would produce unmixed good to the public. It was much wanted, and he sincerely hoped the hon. member would be enabled to carry it through, notwithstanding the lateness of the session.

Mr. Davenport and Mr. F. Lewis supported it.

The *Chancellor of the Exchequer* said, that though he himself did not originally intend to submit any disjointed part of the plan which had been recently before the House, yet, as it was now brought forward in its divided shape, he thought the hon. gentleman entitled to their thanks, and he should be happy to give any support to it in his power. He thought, however, that it would be unadvisable to go beyond those clauses of the former Bill which had received the concurrent approbation of the House, but rather to select just so much of that Bill, as was not likely to create objection.

Mr. Alderman Atkins and Mr. Wharton supported the Bill, and after a few words from Mr. Lockhart, who intimated his intention to forego certain additional regulations which he had intended to introduce, and to confine himself solely to so much of the former Bill as was approved of, leave was given, and the Bill was shortly afterwards brought in.

Bank of England.] Mr. *Thompson* was desirous of putting one or two questions to the right hon. the Chancellor of the Exchequer, upon a subject, relative to which it was his intention to found some motion in the ensuing session. He observed, from the Report of the Bullion Committee, that a compromise was made by the Bank of England, with the Stamp-office, by which that company only paid 42,000*l.* annually, for their stamp duty. Now, upon looking to the duty paid by the country bankers, upon their issues of notes, which it was calculated were no more than equal to the issues of the Bank of England, it appeared that they paid annually a sum of 120,000*l.* This was a circumstance of such manifest favouritism, that he should be glad to know in what manner it was to be accounted for. With respect to the Bank of Scotland, too, the system was pretty much the same. Their notes were issued without stamps, and the duty was paid only upon such calculations as the bankers might think proper to send into the Stamp-office at the end of the year. He did not mean to say that any imposition was practised; yet he could not help thinking that it would be far more satisfactory, if all the notes issued, both from the Bank of England and elsewhere, were regularly stamped. The total amount of stamp-duty paid by provincial bankers upon their promissory notes and bills of exchange, amounted to nearly half a million; and when he knew that the Bank of England often issued notes, to the amount of one, two, three, and to ten thousand pounds each, he thought it was very extraordinary they should not bear their full proportion towards the revenue of the country, as well as others.

The *Chancellor of the Exchequer* replied that the payment by the Bank had been regulated according to a certain scale arranged at the time of first imposing the stamp duty. Since that original composition it had been increased with every increase in the rate of the duty itself; but not, he admitted, according to the increase of the issue by the Bank. So far, therefore, the Bank might be considered as favoured; and he, as an officer of the revenue, could certainly have no objection to any new regulation which should equalize the two cases. He had no doubt, also, if the hon. member at any future period would submit a distinct motion upon the subject, the Bank would enter into a fair discussion of it upon their part.

HOUSE OF LORDS.

Wednesday, July 7.

Vote of Thanks to the Marquis of Wellington, &c. for the Battle of Vittoria.] Earl *Bathurst* rose and observed, that the victory which their lordships were now called upon to commemorate, was of a nature as decisive in itself, and as gigantic in its results, as any which had graced the military annals of England. Not only were the enemy defeated and driven off the field, but they had lost all their artillery, their stores, their baggage, and, in short, every thing that constituted the material of an army. They had been compelled to abandon the strong military positions on the Ebro, which they had been fortifying for months, and where they reckoned upon making a stand, if forced to relinquish that portion of Spain which they had previously held. But the great talents of lord Wellington were not less displayed in the decisive battle of Vittoria, than in the skill with which the campaign had been planned, and the rapidity with which it had been conducted. The enemy had imagined that the fortifications which they had constructed at Toro and other places, but particularly at Burgos, would retard the movements of the British general, till they should be able at least to carry off their magazines in security. Such, however, was the skill of lord Wellington's manœuvres, and the rapidity with which they were conducted, that all the plans of the enemy were confounded. No sooner had the allies advanced into Spain, than they hastily abandoned all their points of defence, and were even constrained to evacuate Burgos, on which they had expended so much labour, blowing up the fortifications at the approach of our army. They abandoned Pancorvo and Miranda on the Ebro, with equal rapidity; so that in less than a month they beheld our army threatening their magazines at Vittoria, which they were compelled to defend at every hazard. Here the contest was never for a moment doubtful. Indeed, the enemy, confounded and subdued by superior skill, even before the action, seem not to have displayed that valour for which they have been distinguished on other occasions. They appeared to have fought with spirit only on two points: the one on their right, where it was their object to cover or regain the main road to France by Bayonne, but in which they were completely repulsed by the troops under sir Thomas Graham: the other point was on the left, where they endeavoured, in vain, to retake the commanding positions that were forced and maintained by the division of sir Rowland Hill. It was in this part of the field that colonel Cadogan received the wound which cost him his life. Feeling that his wound was fatal, he made it his last request to his brother soldiers, that they would convey him to a small eminence in the rear. There, seated with his back leaning against a tree, he gazed on the field of battle, till death closed his eyes for ever. He was a gallant officer, as brave in action as amiable and respectable in private life. He lamented sincerely the losses which our army had sustained; but he believed they would be found inconsiderable, when compared with the magnitude of the victory which had been gained,—a victory that would be for ever memorable in the annals of the country, and of which it was impossible to calculate the beneficial consequences. It was not a little remarkable, that near the spot where this battle was fought, another victory had been obtained in one of the proudest days of England's martial glory. It was when Edward the Black Prince defeated the usurper of the crown of Spain, who on that occasion was supported by French troops. How different, however, under all the circumstances, was that battle from the present! How incomparably superior were the resources of France at the present day, compared to what they were then; and how much greater the talents of the man who was at the head of her government! Then France was only an auxiliary: now, she was a principal: the victory of the Black Prince was only the result of a single campaign, but this of a series of campaigns. Could such a victory as the present have been foretold to Edward, how would it have cheered him to have seen the martial glory of his country still supported, and that his name would be transmitted to posterity, united to another exploit of a still higher order. And here he could not help observing, what a course of glory lord Wellington had run in a period of no great length. Within all their recollections he was only Secretary to a Viceroy of Ireland, who had not yet finished his vice-regal course; and yet what great achievements had he since performed. He had been called by some, merely a fortunate general; but it was the fortune which is only attached to valour and military skill. His perseverance amidst reverses was as conspicuous as his glory in success. In his eventful campaigns in the peninsula he had retreated as well as advanced; but how different were his retreats and advances when compared with those of the enemy, in point of vigour and activity in the one case, and coolness and serenity in the other! The noble earl concluded with moving, "That the Thanks of this House be given to field-marshal the marquis of Wellington, knight of the most noble order of the Garter, for the energy and distinguished ability with which he hath conducted the late operations of the Allied Forces in Spain; and particularly for the splendid and decisive victory obtained upon the 21st day of June last near Vittoria, when the French army was completely routed, with the loss of all its artillery, stores, and baggage."

The Earl of *Rosslyn* was anxious to express his acknowledgments for the high military rank conferred upon lord Wellington (a rank unexampled in modern times as granted for distinguished services) which he considered as a favour conferred upon the whole army. He was satisfied that there was no officer who had been what was commonly called superseded, by giving the rank of a field-marshal to lord Wellington, who would not feel that it was a distinction conferred upon himself in concurrence with the whole army, every individual of which must feel that the high and distinguished merits of lord Wellington eminently deserved such a distinction; and that his military talents, as displayed in his unparalleled services, merited, in a superior degree, that exalted military rank with which he had been invested. For himself he would say, that his feelings were precisely of this nature, conceiving that the services of lord Wellington were such, as pre-eminently qualified him to be placed at the head of the army.

Marquis *Wellesley*.—The noble earl (Bathurst) had stated with great accuracy the proposition, which he had so eloquently expounded. The noble earl had correctly remarked, that although their lordships were now called upon to confer upon lord Wellington and his gallant army, the highest meed of honour which it was in the power of this or any country to bestow,—the Thanks of Parliament,—the question was not new to the House—nothing could be more just than this observation. Their lordships had often before been called upon for similar thanks to the same person for eminent services performed in a variety of ways, and under the most arduous circumstances. Lord Wellington had been tried in the most extraordinary manner that ever happened to any character, in military or in civil life. It was his glory to have conducted a system of defence in the face of a far superior force, and of very able generals, when it could have been maintained only by the most extraordinary exertions of the highest qualities that ever were combined to form the consummate general and the gallant soldier. Their lordships had seen him, with unequalled coolness and vigilance, struggle with every difficulty, and triumph over every obstacle. This could only have been accomplished by the most wonderful exertion of valour by himself and his noble army; and likewise by the more difficult exercise of the most patient and persevering endurance in the most trying situations. Lord Wellington came before them therefore as one who had already frequently received their thanks for having distinguished himself in every possible way through every stage of the contest,—by his skill in conducting sieges,—by his promptitude in the application of sudden effort,—by his success in operations carried on in a country where the greatest difficulties were experienced in procuring provisions, and supplies of every description,—by the ability with which he had conducted himself, even in retreat:—and at last, by the transcendent merit of having, (by his judicious and prompt improvement of the advantage of a moment,) from the bosom of retreat itself, extracted victory.

This day he came before their lordships in another situation; for out of the difficulties in which he had been involved —he stated the matter exactly as he felt it—he had drawn the means of success. He had no intention at this moment of dwelling upon past misconduct—he entirely rejected any such idea; but he stated as a fact, that out of the very failure of former objects, he had produced the means of ultimate advantage. He willingly acknowledged that lord Wellington's exertions for this purpose had, for the last six months, been well seconded by the government at home; and so far he highly approved of the policy upon which the noble lords opposite had acted,—a policy which had enabled our great commander to extract benefit even from his misfortunes,—which enabled him during that state of inaction, which some, perhaps, had regarded with impatience, to make preparations for opening the campaign on those principles, which had now brought him before their lordships in his fullest glory. For this he thanked ministers,—and for this he thought they deserved the thanks of the country. It was their praise that, for this time at least, lord Wellington had not set out with inadequate means. For this time his glory was not that of having nobly and successfully struggled against an almost overwhelming superiority of force with defective resources. He had been amply provided with the means of warfare; and now we had a proof of what might be done with such means, in the hands of one, who knew so well how to turn his advantages to the highest account.

This, he had already stated, was in one view no new question; but the difference was, that lord Wellington presented himself to day, as having been enabled to do more than on other occasions. The means had been provided, and judiciously applied; the object had been proper, and the season well chosen. Even the delay had been improved to the best purposes, and with the happiest effects. The resources of England had been called forth, and her energies matured, in behalf of the greatest and most sacred objects that had ever animated the exertions of England or any other country; and with these powers placed in the hands of one of the most distinguished military geniuses that ever had adorned any age or nation, the happy and glorious result had been produced, which they were now called upon to honour and commemorate.

In some particulars this victory had never been surpassed by any that had ever been achieved. In point of military glory it stood in the very highest rank. It had been remarked, that to form a correct judgment of the real merits of a victory, we ought to look to its results as well as to the operation itself; and even in this view, the victory was of the most distinguished description. It had always been his opinion,—and the same opinion, theoretically and practically, had been adopted by the greatest statesmen, and the greatest nations,—though the idea might appear to some more brilliant than solid, that military fame was the best security of a country, and that the paths of glory led to peace. The results of this victory would, in all human probability, even in this respect, be of the most gratifying nature. He admitted with pleasure that ministers might justly claim the merit of having been instrumental in laying the foundation of these results. They had furnished lord Wellington with ample means, as he understood, of operating with decisive effect against the forces immediately opposed to him. If these means were calculated with a view to what might have been generally opposed to him, a different conclusion might possibly be formed: but merely with a view to this campaign, it did appear to him, that it would not be just to refuse to ministers that applause which they deserved; and he approved of their conduct now, exactly upon the same principles which had led him to disapprove of it in the last campaign, during which the adequate means had not been furnished.

There were some disastrous rumours abroad indeed, relative to an operation in another part of the peninsula, which he hoped to God might prove to be untrue. With respect to that operation, (he meant the expedition from Sicily and Alicant) he would not now enter into the topics which had been a subject for consideration on a former occasion. He would merely observe, that the great defect last year (1812) had been a want of unity of command in the peninsula. The expedition ought to have been under the orders of him whose operations it was intended to assist. He had blamed no person. All he had said was, that the person whose plans might be affected by the expedition should have had the means of directing the whole of it. That defect had been remedied in the present campaign, and the force at Alicant (if his information were correct) had embarked by lord Wellington's orders, and had landed near Tarragona according to that noble lord's plan. In point of numbers and equipment, the force employed on the expedition in question appeared to be amply sufficient for its object. It had been sent to the proper place, and at the proper time. He still hoped that what was said to have happened since was not true—but this at least he would say, that when ministers had chosen a fit object, had prepared adequate means, and had applied them in due season, they had done all that was in their power—the rest they must leave to God and to the sword. But these were not the only advantages of the victory, which their lordships were now commemorating.

There were other reasons for the expectation of its being attended with the most gratifying results. The moral effects of it must be incalculable. The extent of the enemy's loss in stores and artillery was almost unexampled. It was without parallel, except in one of lord Wellington's own victories in India, where he took considerably upwards of 100 pieces of cannon. But was it not a great enhancement of the value of this victory, that it afforded the prospect of driving the enemy out of Spain?—that what had by many been regarded as wild and chimerical speculations, was now become highly probable?—and that even the invasion of France was become a question of prudence with the British general? That was a point upon which he would not hazard a judgment; but it was undoubtedly a great change of circumstances, that in all probability, it was in the option of the British general whether he would invade France or not—and some parts of it might, perhaps, be occupied with advantage. We who had so long heard of the intentions of the enemy to invade this country,—who had heard of their boasting plans for placing the French eagles on the Tower of London,—were now taught to believe that France might be invaded by a British army. This was a curious change; not long since, we were threatened with invasion from the coasts of France, and now, it was merely a question of discretion, whether the army, which, by imperial mandate was ordered into the sea at Lisbon, might not possibly soon enter by land into Bayonne; and that if there was now any danger of invasion, it was not on this side of the water. He did not mean by this to throw out any encouragement for extravagant expectations; but the proposition which he was anxious to establish was, that the path of glory was the surest road to peace.

Another point to which he was desirous, in a few words, to call their lordships' attention was this, that the present prospects were such as amply confirmed the original wisdom of that policy, which had led this country to engage in the cause of the peninsula. He was apprehensive he might be thought to be wandering from the subject; but he believed that every word he said directly bore upon the question, and went to justify the vote of this night,—the often-repeated vote of thanks to him, who had opened the ray of hope to Europe. The first grand object of the policy to which he referred was,—by resisting the enemy in the peninsula, to support the cause of Spain and Portugal, and by that means to operate a most important diversion in favour of other nations, who might be inclined to oppose the encroachments, or throw off the yoke of France,—and at the same time to afford them, if possible, a noble example of persevering and determined resistance. Had not the wisdom of that policy been now amply proved? Had it not been stated by ministers in their places,—was it not universally known,—that our efforts in Spain had encouraged Russia to resist?—and was it not the request of Russia, that, as the best assistance we could give her in her arduous contest with France, we should continue our exertions in the peninsula? And what were the results of the resistance originating in the motive which he had mentioned? It was now beyond all question, that our opposition to the power of the enemy in Spain and Portugal had produced the effort which had been made by Russia, and had enabled her to resist with success;—for if the French had been prepared to advance into Russia at an earlier season, and with more accumulated forces, the effect of the invasion upon Russia must have been greater. Another great object of this policy was to deprive the enemy of the resources of Spain and Portugal, and to extinguish his power there. He had always thought that if this policy was properly conducted and persevered in, it must at last destroy the power of the enemy in the peninsula. He had always said, that, to abandon the peninsula, as long as it was possible to support the Spanish cause, and while any prospect existed of extinguishing the French power in that quarter, would be inconsistent with every principle of justice, magnanimity, and sound policy. And had they not now made great progress in effecting their object? He did not say that all was already done,—but was it not much, that the main French army, commanded by the intrusive king in person, should be decisively defeated with the loss of all their artillery, and every thing that constituted their strength, and that same king, (whose "sacred dynasty" was to be perpetual) have been compelled to fly, not even having his crown left to him,—unless, indeed, he had carried it off in his pocket? In such a state of things, it was impossible to deny that a great stride had been made towards the accomplishment of the only legitimate object of the contest—the destruction of the enemy's power in the peninsula. Such was the glorious prospect held out by this victory, and he trusted that Spain would at length form a government that would call forth all the energies of that country to resist the French in case of their return;—a government that might command the respect, and secure the attachment of the people, and by that means wield with effect the whole powers of the nation, for the cause of the peninsula, as well of all Europe. He had no doubt but ministers would exert themselves to produce an effect so desirable. But if they were now to relax, the cause of Spain might be deemed desperate even by the Spaniards themselves. The amplest opportunity was now afforded to the Spaniards to cooperate with our army to the fullest extent; and he trusted that the enemy, if driven out now, would find their entrance much more difficult than they had found it before: for it must be recollected, that they had before got footing in Spain by the basest treachery, and the weakness of a corrupt government. Now he hoped, that we might hear no more of a French government in Spain, whatever we might hear of it any where else;—but that such a Spanish government would be established in that country, as would effectually prevent the French from gaining an advantage either from treachery or weakness, similar to that which they had before acquired.

He was apprehensive that he had too long trespassed on the patience of the House, but he felt the deep importance of the subject,—he felt that we were proceeding in this great object upon substantial ground, and with every human probability of success; and he was, therefore, the more anxious, that nothing should be neglected, that could tend still further to improve our advantages, and render our ultimate success complete and certain. In the mean time, the most favourable hopes might be indulged, if England would set to work as England had worked during the last six months; and did not suffer herself to be distracted by dividing her efforts too much, and turning them towards other points. As to the victory itself, whether considered with a view to the valour and military genius displayed in it, or the moral effects with which it must be attended, he might say of it, "hoc literis mandari, hoc memoriæ prodi, hujus rei ne posteritatem quidem omnium seculorum unquam immemorem fore." It was an achievement without parallel, which would irradiate the page of history;—a victory to be had in everlasting remembrance, and one which would excite the admiration and applause of Englishmen to the latest posterity.

Lord *Holland* warmly eulogised the conduct of lord Wellington, who, whether with exemplary patience and watchfulness, acting like another Fabius upon a defensive system, or moving with a rapidity which a Cæsar might have envied, had displayed talents of the first order, and a consummate ability which placed him in the highest rank of his profession. He gave credit to ministers for not abandoning the cause of Spain, and though in the course of the contest, there were occasions in which he thought they did not afford the means requisite for maintaining that contest with a prospect of success, he thought it but justice to state, that upon this occasion they had supplied all the means that were required to bring the contest to a successful issue. The cause of Spain was one in which from the beginning he took the deepest interest, and he most sincerely rejoiced that this splendid victory had placed in near prospect the deliverance of that kingdom from the oppression of France. He could not, however, sit down without expressing a hope that this glorious victory, which in its political results was of such vast importance, might be rendered still more glorious, by being made the instrument of effecting a safe and honourable peace.

The motion was agreed to *nem. dis.* and also the usual motions for thanking the generals and other officers, and acknowledging the services of the army, and a motion of approbation of the conduct of the Spanish troops. They were ordered to be communicated by the Lord Chancellor.

The Earl of *Lauderdale*, after generally declaring his approbation of what had taken place, wished to observe, that he thought every mark of respect possible should be paid to the memory of the late colonel Cadogan by the government of this country. He trusted that it was at least in contemplation to erect a monument to his memory.

The Earl of *Liverpool* said, he deeply entered into the feelings expressed by the noble earl, either as a British subject, a public man, or as confidential adviser of the crown. He had long known the accomplished and justly lamented officer in question, and entertained for him the greatest personal regard. Every mark of respect that could be paid was intended to his memory; and the greater these marks of respect were, the more gratifying they would be to himself.

HOUSE OF COMMONS.

Wednesday, July 7.

VOTE OF THANKS TO THE MARQUIS OF WELLINGTON, &C. FOR THE BATTLE OF VITTORIA.] Lord *Castlereagh*, pursuant to the notice which he had given on a former evening, rose to move the thanks of the House to lord Wellington and his brave army, for the late glorious achievement in the peninsula. He felt real difficulty in calling the attention of the House to this subject in the manner it deserved. Perhaps, instead of following the course usually pursued on such occasions, that of prefacing the motion with a speech, detailing the operations, and commenting on them, it would be better that he should submit it to the House in silence, and not attempt to press it on them by any feeble observations that he might be able to offer, confident as he was that he could add nothing to the lustre of such a triumph, and feeling as he did, that wishing to add to their warm emotions of pride and satisfaction, instead of attempting to describe it himself, it would be better to refer them to the modest and perspicuous account of it given by the noble chieftain who had commanded the army on that memorable day! The victory to which the motion he had to submit to them referred, was one which he might almost venture to say, was unequalled in the annals of any country, and bore a character peculiar to itself. When they considered the army opposed to that under lord Wellington, and considered not merely its numbers, but its experience, and its high state of discipline, they must feel how much was due to the officer who commanded, and to the army who fought. When they reflected, that had our army been superior to that which it had encountered, a victory of such magnitude obtained with a loss so comparatively small, as that with which this had been accomplished, would be a glorious one even over an inferior enemy, what must that appear which that day called for an expression of their gratitude? So complete had been the success of the allies, that the enemy had been cut off from that retreat to his own country, on which he had placed his reliance, and forced on a retreat by a circuitous route. He had bought his safety at the expence of his entire military equipment, and lost every thing which could be said to constitute an army. When they gave the French armies that fair credit to which they were entitled by their splendid services in every country, however defective their cause, the House would be enabled to form a proper idea of the defeat they had sustained, and feel that nothing could be more complete when they were seen compelled to sacrifice their military character, give up all their glory, and content themselves with consulting the personal safety of as many as could escape from the pursuit of the victors. These things considered, it would be seen this battle bore a character which, in the annals of war, had hardly belonged to any other. On such occasions, a feeling of anxiety naturally prevailed to know the amount of the army in numbers, which had been opposed to ours, and to learn the extent of the loss which had been inflicted on the enemy. On these points he could not speak from official information, but from the reports made by officers holding distinguished situations in the army, the force of the enemy could not have amounted to less than 70,000 men, consisting of experienced and well disciplined troops. In the army opposed to that of lord Wellington was concentrated, with the exception of the force opposed to Mina in Arragon, that under Suchet in the south of Spain, the corps under Clausel, which, through the masterly disposition made by lord Wellington could not arrive in time to take a part in the battle, and that under general Foy —with these exceptions was concentrated all the French disposable force in the peninsula. In this great host were combined the army of the North, the army of the South, the army of the Centre, and the army of Portugal; therefore in gaining this victory, he had triumphed over the great mass of the French disposable force of Spain; and if the loss of the enemy in killed and wounded were not so great as might have been expected, had the cavalry, from the nature of the ground been permitted to pursue with that sort of success which under other circumstances must have resulted from so decisive a victory, it was nevertheless very severe. But for those impediments to the pursuit which he had mentioned, he thought it was not too much to say, that scarcely a man of that army would have been allowed to return to his country to tell the tale of their defeat. As it was, it was difficult to state what their loss had been; but taking it at the very lowest estimate, to be double that of the allies, it could not amount to less than 12,000 men.—In looking at the transactions which had ended in a victory so decisive and complete, that the result was that the enemy was left without the common means of again shewing his force as an army, it would be an act of injustice, not to couple them with the great efforts previously made, which in this, as in every other campaign with which the illustrious name of Wellington was connected, marked the genius of a great commander as much (he might almost say more,) than the victory itself. He had had occasion to call the attention of the House to this distinguishing trait in the character of lord Wellington, when describing the events which had led to the battle of Salamanca. He had then contended, though the last campaign ended with the English army retiring into Portugal, that in all the movements of lord Wellington the genius of a great commander was displayed, and none of those circumstances which had led to the present victory had escaped him (lord Wellington) at that time. He (lord Castlereagh) had then said, that though he had found it necessary to retire, he had delivered the south of Spain, and changed the character of the war. He had compelled the French, who had entered Spain as a conquered country, and who had dispersed themselves over it as a country conquered, to concenter their force, and instead of controuling and commanding all around them, to make arrangements for their own safety.—During the winter he was employed in making his own army more fit for the great task which they had to perform. He (lord C.) had said lord Wellington did not relinquish the advantages he had gained, but while in Portugal he exerted himself to put his troops in that state, that when the proper time came he might again push them against the enemy with that force which should ensure success to their exertions. So it had turned out. He had not suffered the French again to occupy the most important points from which he had driven them, and he had not only during the winter prepared his own troops successfully to make head against the enemy, but he had availed himself of the means which he then for the first time possessed, as commander of the forces of Spain, to give the Spanish armies that military character which before they had wanted. This, in conjunction with a most distinguished officer whom he admired as much as a soldier, as he esteemed him as a friend (marshal Beresford), he had been enabled to effect, and it must now be felt, that we were no longer contending against the enemy in Spain, with our own military power alone, but that we were powerfully aided by the military genius of Spain, which had always been acknowledged to be great, but which, till guided with care by the fostering hand of genius, was incapable of producing such great and brilliant results. Lord Wellington, thus occupied, had not appeared in the field of action so early as some might have expected, but in what manner had he at last emerged from his repose, that repose which had not been marked by looseness or inactivity? In one short month he had pushed the enemy with such vigour, as to force him to fight that battle, which was as much distinguished by its particular character as was the commander by whom it had been fought, by his transcendant genius. He did not mean to make any ungenerous comparison between the efforts made by lord Wellington and those made in any other country, but such a movement as he had made in one month, from Freynada to Pampeluna, he believed had never been equalled in the military history of any country. Lord Wellington was aware of the difficulties he had to encounter, but his genius overcame them, by perceiving in what way those points on which the enemy chiefly relied might be turned.—By that trait in his character which above all endeared him to his army, and which must endear him to the country, lord Wellington had availed himself of his knowledge, to save the effusion of human blood, and gained by science what others must have sacrificed their troops to obtain. He had come upon the enemy with a pace so rapid, and so accelerated, to put against them his main force, that they, without casting any imputation on their military conduct, were taken by surprise, their combinations were defeated, and they had no alternative but to retreat to their own country, or to risk that battle which lord Wellington had wished to make them fight, and which had terminated in so glorious a victory. If ever previous arrangements might be said to add brilliancy to a triumph, the operations of lord Wellington anterior to the battle of Vittoria deserved that character; never was a victory gained more calculated to inspire unlimited confidence in the great chieftain by whom it had been achieved. His career was one of prosperity and glory: in the last campaign he had gained most important advantages over the enemy; in the present, he had driven them to the frontier of their own territory. It would be presumptuous in any man to augur what would be the consequences of this victory; but it was a proud triumph to the country, and to the individual, to contrast the situation in which lord Wellington now stood, and that which he had formerly occupied. If they looked back to that period when he went with comparatively but a feeble army to deliver Portugal, with what exultation and pride must they trace him through his campaigns! They first saw him effect the expulsion of the French from that country; in the succeeding campaign he still thwarted the views of the enemy. In the campaign before last, he completely changed the character of the war; and now he, who had once fought with his back to the sea, against a superior foe—who had experienced innumerable difficulties, that would have disheartened other commanders, and which afflicted him, though his great mind would not give way to despondency, feeling that he was supported by a brave people, and he (lord C.) hoped he might say, by a government which had remained firm through all the vicissitudes of the contest; this individual had in a great degree emancipated the peninsula, and at length become the aggressor, now acted with splendid success offensively against the enemy, instead of defending the lines at Torres Vedras. By making this retrospect, the House would be enabled to measure the merits of lord Wellington, and the services of his troops.—It was glorious to contemplate, that if the enemy were not yet forced by lord Wellington entirely out of Spain, that at least he had shewn them the confines of that arena in which they had chosen to enter the lists. He was now no longer fighting with his back to the sea, menaced by the enemy, who hoped to be able to drive him to his ships, as was formerly the case, when some of the greatest statesmen in this country anticipated nothing less, and even entertained a dread that he would not be able to reach them in safety. A far different scene now met our view. He was seen driving those same haughty enemies into their own country, from which it would have been better for their character had they never removed. The feelings of the House on this subject would be much more eloquent than any thing he could say. It must be gratifying to them to reflect that they were not met to celebrate a triumph in which the glory of an individual only was concerned, but one in which the best interests of the world were involved. They were there met, the representatives of a free people, to rejoice in having obtained freedom for their allies, and contributed to the establishment of the general liberties of mankind. If in this eventful and most expensive war great exertions had been made by this country, it was some satisfaction to reflect that these had not only proved sufficient to defend ourselves, but had contributed to the preservation of others. If in this contest the parliament of England had felt itself called upon to make the most stupendous sacrifices, it was a high gratification for that House to know, that if their liberality had been extended on a larger scale than formerly, the fruits of their munificence were as unexampled as their generosity, and they saw from the efforts they had made, not only themselves, but all Europe, in a much better situation than the most sanguine among them could formerly hope to see in so short a time. He thought it would be presumptuous in any man to pretend to say what would be the issue of the contest, although the events of the war had hitherto been favourable; but that Providence would rule the future, which had protected us from the past, and he trusted it would not now forsake us. But whatever might be the course of things, the glory of the English country was placed on the highest pinnacle of fame, from which it never could be shaken. If any thing could add to the interest of the battle, it was the field on which it had been fought. An illustrious chieftain of former days (Edward the Black Prince), had fought on the same ground—had fought to restore a rightful monarch to his throne. He had conquered, and the fame of his arms, it was probable, was not forgotten on the day of battle. In looking at this proud triumph, it was impossible that the House should not feel gratified at reflecting, that while it raised us, it also raised those with whom we were allied; and he trusted, in the moment of victory, that that would not be forgotten which was the legitimate end of all war—a secure peace; a peace consistent with the credit, interest, and engagements of this country; a peace that would not only prove beneficial to England, but conducive to the happiness of all the nations of Europe—(Hear, hear, hear!)—He had only one observation to add. It was the wish of ministers, that the list of officers to whom it was proposed to vote the Thanks of the House should be correct. He could not, however, feel confident, that the list he had was complete. He hoped, therefore, that if any omissions should occur, that the names of those left out would be afterwards admitted, and that it would be understood, the vote of this day was intended to convey the tribute of their gratitude to all engaged in that glorious achievement which they were assembled to celebrate. He then moved, " That the Thanks of this House be given to field marshal the marquis of Wellington, knight of the most noble order of the Garter, for the energy and distinguished ability with which he hath conducted the late operations of the allied forces in Spain; and particularly for the splendid and decisive victory obtained upon the 21st day of June last near Vittoria, when the French army was completely routed, with the loss of all its artillery, stores, and baggage."

Mr. *Fremantle* seconded the motion, and hoped that it would be carried by acclamation. He thought the character of the late glorious achievement exceeded that of any other in the British annals, both in the combinations and their result. No language could express his sense of the zeal and science which had been displayed by the illustrious leader of the British troops. The victory of Vittoria had established the military glory of England on a basis never to be shaken. It was but justice to give his Majesty's government great credit for their exertions to prepare the army under lord Wellington's command. But giving them the amplest credit for those exertions, he was not disposed to withdraw a single particle of his admiration from the noble lord who had so indefatigably availed himself of the advantages that had been so liberally afforded him. It had been his (Mr. Fremantle's) peculiar good fortune to hear during the last three days, many interesting details of the conduct of the army, which could never be sufficiently extolled. With respect to the loss of the enemy, he knew from private reports, he knew as well as it was possible for him to know any thing which had occurred immediately under his own eye, that it exceeded double the amount of that stated by the noble lord opposite. Reverting to the character of lord Wellington, he described him as a man highly estimable, not as a hero only, but as a private individual—a most sincere friend—most generous to those who required his assistance—and distinguished by the utmost frankness and urbanity of manners. These were qualities which rendered him not only admired but beloved. Nursed in the lap of war, his heart was not steeled against the impulses of humanity. Vigorous in his attack of an enemy—when that enemy was conquered, he was the first to protect him. On most occasions, he (Mr. F.) felt diffident and distrustful in addressing the House, but this was a theme on which he could go on for ever. He could not help thinking that some peculiar honour should mark the present occasion. If he might venture to suggest such a thing (but he would not presume to submit a motion to the House) he would hint the propriety of addressing his royal highness the Prince Regent, requesting that he would himself send the thanks of the House to lord Wellington by the aid-de-camp who had been the welcome herald of the glorious intelligence. Such a proceeding would, he was persuaded, be highly gratifying to " the Great Lord." Distinguished as the recent victory had been in its character, it ought to be distinguished in its reward.

Lord *Castlereagh,* adverting to his statement of the loss of the enemy, observed, that he had taken it at the lowest possible calculation, and that he had not included those who were killed or put *hors de combat* in the period that intervened between the commencement of the advance from Salamanca and the battle.

Sir *Eyre Coote.*—I congratulate the House on the splendid victory now under their consideration, and sincerely do I accord with the motion of thanks to the noble lord. Most happy am I to have it in my power, in my place in the House of Commons, to offer my tribute of applause to the glorious achievements of the noble marquis and the brave and gallant army under his command—why should I say brave?—Bravery and intrepidity are the characteristic of the British soldier! It is not bravery alone that I admire, it is, Sir, the celerity, the decision, the promptness, the rapid movements, added to excellent arrangements, and what is more, most admirable combined operations, that gained the glorious victory of the 21st June. This marked the conduct of the noble marquis, gained for him additional honour, added increased lustre to the officers and soldiers of the army under his command. The greater number of the general officers I have the good fortune of being personnally acquainted with. I have seen them in action, and myself have had an opportunity of being a witness to their gallant and meritorious conduct. It affords me particular pleasure to reflect that the noble marquis has attained the rank of field marshal. He justly deserves that exalted rank. I am persuaded, Sir, that the officers and soldiers of that highly distinguished army vied with each other on that memorable occasion to share the glory of the day,—a proud day for England,—a day never to be forgotten by Englishmen. A day that, I trust, will contribute beneficial consequences to Europe, and possibly tend to the restoration of peace, and the repose of mankind.

Mr. *Canning* said, he felt in common with the hon. gentleman who had seconded the motion, and with the gallant general who had just addressed them, the difficulty (a difficulty in which no man had more frequently placed their friends, the House, and the country, than lord Wellington), of expressing, in adequate terms, the feelings which filled the mind of every man in the country. And he was persuaded, that the strongest language he could use would be but a faint echo of the public sentiment on this glorious occasion. If the hon. gentleman (Mr. Fremantle), from his private feelings on this occasion, and if the gallant general, from his feelings as a soldier, could not refrain from trespassing on the House, however unnecessary their apology for doing so; he trusted the interest which he had ever taken in the cause of Spain would excuse him for offering a few words on the same subject. It was now five years since this country, involved as it was in difficulties, and engaged in a contest the end of which it was impossible to foresee, had the glorious prospect opened to it of what this splendid achievement led to the hope of having brought to a happy consummation. At that particular period, amidst the pressure of events and all the troubles peculiarly her own, she had not hesitated one moment in becoming the friend of those whose only claim to her friendship was their being the victims of tyranny and oppression. This choice was crowned with success; but it was a choice which they would not have had cause to regret, even had the struggle ended in hopelessness and disappointment. Thank Heaven, the result was of another character, and proved that generosity and justice, while they were the most liberal, were also the wisest system of policy, and that honourable feeling for others was nearly connected with our own national safety. At the period to which he had alluded, there were many who despaired of the success of the cause, and who, though forced into the current, had expressed their disapprobation of it. That enterprize, which many thought rash and hazardous, which many believed almost hopeless, had ended in a blaze of glory, that will live recorded on the glowing page of history, even if glory should be its only result; but he did not despair to see added to it other pages of political arrangement and final settlement, calculated to promote the happiness and secure the liberties of mankind. With regard to the honours to be bestowed upon lord Wellington and his companions in arms, they could not be too lavish of them, but, to this subject the word 'lavish' could not be applied; but, while they expressed their sentiments on this subject, they ought also to pay the tribute merited by those whose pains, care, anxiety, solicitude, and attention, had been unceasingly cherished to prepare at home the mighty means for the accomplishment of this mighty achievement. Not only his Majesty's ministers, but this House and the country had also to congratulate themselves, as well on the generosity and wisdom of their first determination, as on the firmness with which, under every variety of circumstance, and vicissitude of fortune in the course of a long contest, sometimes unpromising; sometimes leading to despondency, (though never those who felt that confidence in the commanding genius of the great leader of our armies, which this day would render universal), and amid every difficulty under which the country laboured, they had continued the contest in a way which demonstrated that it never had been the prevailing sentiment of the nation, that they ought to shrink from the task they had undertaken, to be guilty of a dereliction of principle, or give up the glorious cause in despair.—The confidence with which he and many others had set out in this contest, the present victory had now made general. It was now that the fruits of their exertions began to appear. It was now that they had to look for the reward of their policy in engaging in, and their constancy in persevering in this arduous conflict. The Revolution (as it had been called) of 1808, seemed as if given by Providence in contrast to that mighty and dreadful Revolution, whose tremendous successes had almost led mankind to believe that success was inseparably linked to the car of those, who assailed with insatiable fury every established institution. But the Spanish revolution, exhibiting the same splendid successes as those which marked the early career of that of France, had proved, that triumph is not unachievable by those who are attached to the sovereignty, and whose principle is to conserve rather than to destroy. It was not to Spain alone that the effects of the late victory will be confined. Spain had been the theatre of lord Wellington's glory, but it would not be the boundary of the beneficial result of his triumph. The same blow which has broken the talisman of the French power in Spain, had disenchanted the North. How was their prospect changed! In those countries, where at most a short struggle had been terminated by a result disastrous to their wishes, if not altogether closing in despair, they had now to contemplate a very different aspect of affairs. Germany crouched no longer trembling at the feet of the tyrant, but maintained a balanced contest. The mighty deluge by which the continent had been overwhelmed began to subside. The limits of nations were again visible, and the spires and turrets of ancient establishments (if he might so express himself) began to re-appear—It was this victory which had defined these objects, so lately involved in overwhelming confusion. To whom, under God, were they indebted for this? To the man to whom they were this day voting their thanks. As the noble lord had justly said, it would be presumptuous to anticipate the result of this heroic achievement. But they knew that it must be good. If war continued, in war it would furnish means and heart for the maintenance of the struggle; for peace, it would furnish the best of means, the association of peace and victory, without which he would not say that peace ought never to be attempted, but without which, he would say, it could never be secure with the enemy against whom they had to contend. It was the illustrious Wellington who furnished them with these means so to be applied. His admirable conception of what ought to be done; his rapidity in executing the designs he formed; his wonderful comprehension of measures directed to one end; the completeness of his plans, and the thunderbolt of war which he launched at last upon the foe, enabled this country to furnish the most ample data ever given as the basis of a secure and lasting peace. One topic more, and he would intrude upon the House no longer. The hon. seconder, from the warmth of his feelings, had intimated a wish, that a special mode of transmitting their thanks should be adopted, in order to mark their high sense of this glorious victory: greatly as he felt the transcendant merits of lord Wellington, he also felt for the dignity of that House; and he considered that there was nothing within the power of a subject to execute which would not be adequately rewarded by their thanks conveyed in the ordinary forms. He trusted therefore that the hon. gentleman would not press any proposition which might cause a difference of opinion, while on the main question there could be but one unanimous and cordial feeling. He apologised to the House for having occupied so much of their time, and sat down amid loud cheering.

Mr. *F. Robinson* said there was one circumstance by which the victory, for which the House was now about to vote their thanks, was distinguished from those which had before called for a similar mark of their approbation, that was, that it was unaccompanied by the loss of any officer of very high rank. In the instances in which such officers had fallen the House had thought it a mark of respect due to them to vote an Address to his royal highness the Prince Regent, praying that a monument might be erected to their memory. This honour had been confined to general officers. He trusted, however, they would pardon him, if he called their attention for a moment to the loss of a man, the first in honour and merit, though not so high in military rank as to call for that particular distinction. He need not say that he alluded to colonel Cadogan. Whoever had looked to the history of the campaigns in Spain, would have found that his name was ever among the foremost in the day of action: that he had signalized himself in every great battle which had been fought, and deserved the acknowledgments of his gallant commander. He would not trespass on the House any further, if it was not consistent with their usage to vote a monument to an officer of his rank; but, he trusted they would pardon him for interesting their feelings in the fate of one who was lamented by every one that knew him, and thus bringing his name before them if they could no more.

The first Resolution was then put, and carried *nem. con.*

It was next resolved, *nem. con.* "That the thanks of this House be given to lieutenants-general sir Thomas Graham, sir Rowland Hill, the earl of Dalhousie, sir Thomas Picton, sir Galbraith Lowry Cole, and the hon. William Stewart; to majors-general George baron Bock, Charles baron Alten, the hon. Charles Colville, George Anson, John Oswald, John Ormsby Vandeleur, George Murray, Frederick Philips Robinson, lord Aylmer, and to the several other officers of his Majesty's service, for their great exertions upon the 21st of June last, when the French army was completely defeated by the allied forces under the marquis of Wellington's command."

Lord *Castlereagh*, after prefacing the motion with a high eulogy upon their admirable conduct, and deploring, in feeling language, the loss of officers who, though of lower rank, were not of less merit, or of less interest to the country, than those to whom they had just paid the tribute of their approbation, moved, "That the thanks of this House be given to marshal sir William Carr Beresford, knight of the most honourable order of the Bath, and to the several general officers and officers of the Portuguese service, who were present at the glorious battle of Vittoria upon the 21st of June last, for their great exertions upon that occasion, when the French army was completely defeated by the allied forces under the marquis of Wellington's command; and that the marquis of Wellington be desired to communicate to them the present Resolution." His lordship took occasion to state, that colonel Cadogan, after he had received the wound which was mortal to him, had expressed only one wish to those into whose arms he fell—it was to carry him to the top of an eminence, that he might, to the last moment, contemplate the contest in which his country was crowned with victory.—Agreed to *nem. con.* as were also the following: "That this House doth acknowledge and highly approve of the distinguished zeal, valour, and discipline, displayed by the non-commissioned officers and private soldiers of his Majesty's forces serving under the command of field marshal the marquis of Wellington, in the glorious victory obtained upon the 21st of June last near Vittoria; and that the same be signified to them by the commanding officers of the several corps, who are desired to thank them for their gallant and exemplary behaviour."—"That this House doth highly acknowledge the zeal, courage, and discipline, displayed by the non-commissioned officers and private soldiers of the Portuguese forces serving under the command of field marshal the marquis of Wellington in the glorious victory obtained upon the 21st of June last near Vittoria."—"That this House doth highly acknowledge the distinguished zeal, valour, and good conduct, displayed by the several general officers, officers, non-commissioned officers, and private soldiers, of the Spanish forces who served under the command of the marquis of Wellington, in the splendid and decisive victory obtained over the French army upon the 21st of June last near Vittoria; and that field marshal the marquis of Wellington be desired to communicate to them the present Resolution."

COURT MARTIAL ON LIEUT. COLONEL ORDE.] Mr. *William Smith* addressed the House on the subject of a sentence passed on lieut. colonel Orde, by a court martial at Halifax, in Nova Scotia, on charges of cruelty, tyranny, and fraud, which sentence has since been reversed. The facts of the case were, that colonel Orde was tried at Halifax in August and September last, and found guilty, without qualification, of inflicting punishments on privates, contrary to martial law. On the second charge, for fraudulent practices towards the quarter-master, involving a sum of 445*l.* the decision was, that it was not fully proved that he originally intended to defraud the quarter-master; but he was not acquitted from blame, and was ordered to repay the whole sum. On the third charge of cruelty and oppression to officers, he was found simply guilty, with no recommendation to mercy on any account whatever. It did not appear that sir J. C. Sherbroke, the governor, had made any representation in his favour. The punishments which were inflicted in the Bermudas were such, that major-gen. Hodgson reprobated them in general orders. The men were strapped with a canteen strap, which, though it did not pierce the skin, was, in the opinion of one of the surgeons, worse than the cat, from the risk of contusions. One man was punished so for losing his stock, another for having lost a button from his coat, and another, because, after having done duty on a very wet day, his belt was found very much daubed with dirt; another received 60 lashes in the same manner from a mere suspicion of drunkenness, from having the look of being in liquor. For some similar trivial offence another soldier in the regiment was sentenced to be loaded with a knapsack filled with stones, to carry two firelocks, and then to walk up and down all day while not on guard, and was not even permitted to sit down while at dinner, but it was brought to him at the sun-dial, when he was compelled to stand and eat it. In consequence of this treatment the man deserted, and was ordered to receive 1000 lashes, 500 of which were actually inflicted. These enormities were carried into effect by a miserable instrument, an adjutant of the name of Herring, as lieutenant colonel Orde declared, under his express orders and sanction; but after the commencement of the trial, he retracted this declaration which had been made on the parade, and said that the punishments had been generally without his knowledge. The regiment, which amounted to about 400 men, were confined, the whole time of colonel Orde's commanding at Bermuda, to the small barracks of St. George's, and not suffered to go into the town, except a few of them who were "good men and well dressed." It was stated indeed in justification of this harsh treatment, that the regiment was exceedingly disorderly, and that the discipline could not be maintained by milder methods; but he conceived that no plea of this kind could excuse the severity which had been practised, and which had been carried to a degree totally unprecedented, as he believed, 132,000 lashes having been inflicted on only 400 men in a period of three years and a half. The conduct of colonel Orde was also chargeable with fraud and exaction. He had claimed and kept back stores to the value of £.450 from the quarter-master of the regiment, which were proved not to belong to him, but which the quarter-master chose rather quietly to give up than run the hazard of an unequal contest with his lieutenant-colonel. His behaviour to the officers was equally ungentlemanly and unofficerlike. The hon. member here referred to several instances mentioned in the evidence, in all of which complaint and remonstrance against the injustice were sure to be followed by reprimand, if not punishment. Under all these circumstances he had been found guilty by the court martial who tried him. He had, however, been since re-instated, and he (the hon. member) conceived that he could not do a better service to the army than by calling for the minutes of evidence on that occasion, in order that it might be seen that no officer who had been so dismissed from the service, could be re-instated without notice and enquiry. He accordingly moved, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that there be laid before this House, Copy of the Minutes of a Court Martial held on lieutenant colonel Orde, of the 99th regiment, in August and September last, at Halifax, in Nova Scotia."

Mr. *Manners Sutton* admitted that the motion of the hon. gentleman was perfectly regular and constitutional, and he also thought that the granting the motion for enquiry would be most satisfactory to the gallant officer himself; but at the same time he believed it would not be denied that it was a matter of considerable delicacy for parliament to interfere in the proceedings of courts-martial, except from absolute necessity. He had viewed this case with as much impartiality as the hon. gentleman, but he saw it in a different light. In those voluminous proceedings, which filled 400 pages, he saw as much confusion as he ever witnessed in the proceedings of any court-martial. He had never read any trial of the kind in which the evidence was more confused, vague, and contradictory, nor marked with a stronger spirit of unfairness and acrimony on the part of the prosecution. But what he chiefly rested his objection upon was, that this prosecution had not been instituted at the time and in the place where the offences were said to have been committed, but was put off a year and a half afterwards, so that the first hint lieutenant colonel Orde received of it was on his return to London. By the Mutiny Act, no offence was cognizable by a court-martial after a lapse of three years, unless some impediment could be shewn to exist in the way of the prosecution. What impediment had existed here? None at all; and it was this consideration, more than any other, which had weighed with those of the Prince Regent's advisers who had recommended colonel Orde's re-instatement in his command.—The first charge was for behaving in a manner unbecoming an officer and a gentleman, in flogging several soldiers of the 99th, at Bermuda, without the sentence of a court-martial. All these alleged offences which were stated to have taken place in January 1809, had really taken place in 1808, and no charge had been brought against him until after the expiration of 18 months, and when he had left the settlement on account of his health. In extending mercy to colonel Orde, the crown thought proper to notice the illegal punishments which he had ordered, and directed that he should be reprimanded. Of the thirteen cases, however, which had been stated, the majority of those described as having been illegally punished, were punished for drunkenness. It is true they were punished with canteen straps, a mode which was altogether illegal; but the offences were such as would have subjected the individuals to punishment. It was in evidence, that in all these cases the men were thankful they were not brought to a court-martial. One man who had received two dozen of lashes was asked for what? "For being drunk."—"Was you very drunk?"—"O, very drunk." The hon. gentleman had said it was in vain to prefer complaints to general Hodson, which could only terminate in the punishment of the individual complaining of colonel Orde. But general Hodson expressly states that he had taken the greatest pains with that regiment, and had stated to every man the manner of procuring access to him, and the way he was to apply. He stated this to shew how much the commanding officer had always been alive to subjects of this nature. With respect to the first charge, he certainly disapproved of the mode of punishment adopted, a mode of punishment which would undoubtedly have been put a stop to whenever it reached the ears of the commanding officer or the Commander in Chief. But however reprehensible the mode, the motives of colonel Orde were good; and there were particular circumstances in the case of this regiment, which ought to be taken into consideration in forming a judgment on the case. The regiment was in a state of great insubordination—they were not only greatly addicted to the vice of drunkenness, but other very heavy charges were brought against them. With respect to the second charge, of scandalous conduct on the part of colonel Orde in the case of a deficiency of 450*l.* the court acquitted him of any intention to defraud. He admitted that colonel Orde was liable for the deficiency. With respect to the third charge, it was very much like the first. It was for tyranny and oppression during the space of five years since he joined the regiment in 1807, up to the period of the charge, without stating one fact, or pointing out any precise time when any offence was committed. The court however entertained the charge. He was accused of having confined the men to the barracks for four years. But they were not confined by colonel Orde alone, but by four different commanding officers, for whenever they went out they uniformly returned drunk. The court, however, never observed on the conduct of the three others, who ought to have shared the blame, if there was any, but laid the whole burden on colonel Orde. Another offence was, the not allowing servants to officers—that is, not allowing them to be exempted from duty. Why? Because it was necessary that all should be on duty, and none could be spared. It appeared, however, that whenever an officer was ill he was allowed to have his servant exempted from duty. Various other accusations of a similar nature constituted the sum of the third charge. He thought if the House took all the circumstances of the case into consideration, they would agree with him in deeming cashiering too severe a punishment for colonel Orde. He was sure, however, they would at any rate agree with him in thinking, that if his merits did not protect him, the law would protect him. The crown, taking his long services into consideration, after reflecting on the irregularity of the punishments, and ordering him to be severely reprimanded for them, thought proper to order him to be restored to his regiment. Upon the whole, he conceived it would be injurious to the discipline of the army to allow the production of the papers called for by the hon. mover.

Mr. *Abercromby* admitted the inconveniencies that would arise from converting the House into a Court of Appeal for the army; and that the interference of the House could only be justified by strong cases of necessity. In this case, however, this was not an appeal from an officer to the House; but his hon. friend had merely communicated to them the information he had received. The right hon. and learned gentleman thought an unusual acrimony had been displayed on the part of the prosecutors; but this was all known to the court-martial, and to general Sherbrooke, through whose hands the proceedings passed, but who did not think proper to recommend any alteration of the sentence. Lashes with canteen straps were understood to be more dangerous, when carried to a certain extent, than those given by the cat-o'-nine-tails. With respect to four of the thirteen men punished in this way, one of them was punished because he lost his stock; another, because he lost his buckle; another, because, in a rainy day, he had dirtied his belts; and the fourth, because the quarter-master had said to colonel Orde, that he had a red face, as if he had been drinking. It appeared to him, therefore, that a stronger case could not be made out. The men were severely punished, not only for the most venial offences, but even for suspicion of offences. It was stated, that in this regiment of 400 men, 130,000 lashes were inflicted in the space of three years and a half. This was a case, he conceived, which indubitably called for the interference of the House.

Sir *Samuel Romilly* thought it peculiarly hard on colonel Orde that his case should be discussed in the House, without their being in the possession of the necessary information. From the defence of the right hon. gentleman, it appeared to him, that unless he acted on informalities there was an extremely strong case of tyranny, cruelty, and oppression, against colonel Orde. Were he the friend of colonel Orde he would advise him not to let the case rest here, but to lay the evidence of the court martial before the public. The right hon. gentleman had selected those cases to which he thought he had good answers to give; but he had omitted to take any notice of a number of others, mentioned by his hon. friend, which made a strong impression on himself, and several other members of the House. The case of captain Tryon was one of them. This officer was two years under arrest, on an unfounded charge, without being brought to trial. The strongest case, however, was the illegal punishment of the soldiers, and the indignities with which these punishments were accompanied—indignities not only to the men who were punished but to the spectators. Many of the offences for which the men were punished more severely than by the cat-o'-nine tails, could never have been entertained by a court martial. It was stated by the right hon. gentleman that this regiment was extremely ill disposed; but could there be a stronger proof of the bad effects of severity of punishment than what was afforded by this regiment, where 132,000 lashes were inflicted on 400 men in three years and a half, and where the men were exceedingly hardened and irregular? He was astonished that this officer should not only have been pardoned, but restored to his former regiment with a severe reprimand. It was said by the right hon. gentleman, that many of the punishments, though irregular, were inflicted from motives of lenity. An ordinary man would say, on his resuming his command over those men who had been his accusers—"You ask for law, and you shall have it."—It was certainly extremely injudicious to place a man, embittered as colonel Orde might be supposed to be, in the situation of having it in his power to trample on his accusers. In justice to colonel Orde, and his Majesty's government, and in justice to the soldiery, he thought the facts of this case ought to be laid before the public. He had never heard any thing said as to the necessity of limiting these punishments to a certain number of lashes. He should therefore vote for the question.

Mr. *Manners Sutton* explained. He stated that colonel Orde had not been sent back to the regiment, but was now in London.

Lord *Castlereagh* contended that nothing could be more incompetent than for the House to re-try cases of this nature. If this was so, still less ought they to enable the public to re-try them. The only ground on which such a motion could be entertained was the idea of an undue recommendation on the part of his Majesty's servants, as to the exercise of his prerogative of mercy. On this head let it be recollected by the House, that his Majesty's ministers had the best opportunity of knowing how far colonel Orde was or was not, in other respects, a meritorious officer.

Sir *F. Burdett* begged pardon of the House for intruding on their patience after the very able speeches they had heard from the mover of the question, and from the hon. and learned gentleman who had followed on the same side. After what had fallen from the noble lord, however, who had just sat down, he should not do justice to his own feelings did he not observe on what had fallen from him. If ever there was a case in which the House was called on to look into the exercise of the prerogative of the crown, as the noble lord would say, in mercy, as he (sir F. Burdett) did say, in cruelty, this was the very case; and it was impossible for the House to say, whether the case stood in the one or other of those situations till once the evidence was brought before them. Such cases as the present were of a kind most alarming to the discipline of the army, and to the nature of which, at an early period of the next session, he should call the consideration of the House. This was not a part of the prerogative, but a power granted by the House to the crown, over which power they were bound in duty to those men whom they had this day thanked, to shew that they had not abandoned their controul. If within the space of two years 132,000 lashes had been distributed among 400 men, that, he thought, was of itself a *prima facie* ground of inquiry. The advisers of the crown had undertaken to re-try the cause, to which it seemed they thought themselves fully competent, though the House of Commons could not. The present motion did not affect to interfere with other courts, but complained that the decisions of other courts were subverted.

Mr. *Ryder* contended, if the prerogative complained of, of pardoning officers as well as men, was not in the crown, the discipline of the army would be at an end. The same impartiality he allowed ought to be practised to privates as to officers. If it could be shewn that this was not so, and a case of that kind could be made out, he should be happy to see an inquiry made into it.

Mr. Preston was in favour of the motion.

The motion was negatived without a division.

ORDNANCE AGENTS.] Mr. *Cochrane Johnstone*, agreeably to notice, brought forward his motion relative to Ordnance Agents. His reason for not bringing it forward sooner, was, that the returns which ought to have been made in August last had not been made till lately. From these it appeared, that of sums uplifted by those agents to the amount of 800,000*l.* security was found by them to the amount only of 24,000*l.* The balances due by Greenwood and Cox, the principal agents, according to the ordnance accounts, amounted to 137,400*l.* and by the admission of themselves to 37,396*l.* and the whole amount of security found by them was 12,000*l.* He therefore thought that the securities were not proportioned to the sums to be uplifted, or intrusted with those agents; and also that it would be proper to provide that all monies passing through their hands should be lodged in the Bank of England. If this plan were adopted, it would be productive of this double advantage, that a better security would be obtained, and that the accounts would be much sooner audited. The impression on his mind was, that all public money should, if possible, be lodged in the Bank of England. Greenwood and Cox were agents for 3-4ths of the army, at a profit to themselves of 50,000*l.* a year; the sum which in this way passed through their hands annually was three millions, and the whole security which they were called on to find on this account was 1,500*l.* 3 per cent. consols. He knew it would be said that the colonels of regiments were responsible.—This was a rule which, he maintained, ought to be done away with; and that the whole time of the colonel of a regiment ought to be devoted to his regimental duties. Would the House wish to see lord Wellington recalled from his career in Spain—lord Moira from his command in India—or sir G. Prevost from his command in Canada, for the sake of answering to such a process? He concluded, by reading a train of resolutions containing the substance of the details in his speech, and by moving the first of the resolutions, which was to this effect:—That it appears to this House, that for a series of years large sums of the public monies have accumulated in the hands of the agents of the ordnance; and that very serious loss has thereby arisen to the public, while the said agents have been deriving immense undue profits, in the way of interest, from such accumulation.

Mr. *R. Ward* contended, that even upon the hon. gentleman's own shewing, no loss had been sustained by the public. He could state, however, that the accounts of Messrs. Greenwood and Cox were at this moment passing through the Surveyor General's office. The utmost the House could be called upon to do, would be to require of Messrs. Cox and Greenwood to pay the 9,400*l.* being the sum to which the whole had been reduced by their counter claims. This money, however, he was prepared to assert, had been actually paid within the last month, nor was there a single pound out-standing against Messrs. Cox and Greenwood, provided they substantiated their claims, which, however, he did not mean to say would be allowed. With respect to the sum of 16,000*l.* that was reduced to 2,600*l.* and even thus reduced, it was liquidated in point of fact though not in form, as some vouchers from the peninsula were necessary before the accounts could be passed. With regard to the security, he thought 12,000*l.* sufficient where the monthly issues did not exceed from 30*l.* to 38,000*l.* That part of the motion relating to placing the money in the Bank, he thought, required more consideration, when, perhaps, some regulation upon the subject might be beneficially adopted.

After a few words from lord Palmerston, and a brief reply from Mr. C. Johnstone, the first motion was negatived without a division, and that for an Address was withdrawn by the hon. member.

HOUSE OF COMMONS.

Thursday, July 8.

MOTION RESPECTING SEAMEN'S WAGES AND PRIZE MONEY.] Sir *Francis Burdett* called the attention of the House to the motion of which he had yesterday given notice, respecting the difficulties which presented themselves to the obtaining, by the relatives of deceased seamen and marines, the proper information, and the means of recovering the wages and prize-money due to them on the ships' books. The bonds required of the clerks in the Navy Pay-office, to prevent them from giving the necessary information which might be applied for, were, in his opinion, more calculated to produce fraud and mischief than to be of any real utility. They would, in fact, be subject to become the instruments of collusion between the persons in possession of the means and information, and persons desirous of converting those means to their own fraudulent views and emolument. If they were of real benefit, and operated, as it had been represented, to prevent imposition, he would ask, why were they not introduced into other branches of the navy department, where the clerks were as well acquainted with the sums respectively due as in the Pay-office? He could not discover any satisfactory or solid reason for continuing the practice, and confining it to one particular office. It seemed to him, that the best mode, both of preventing frauds, and of giving to the relatives of deceased seamen fair and easy opportunities of ascertaining the amount of what was due on the ships' books, would be, to publish the names of such seamen and marines every six months in the Gazette, with the sums due to them respectively at the time of their death. He concluded, with moving, "That every six calendar months, a list be published in the Gazette of the unclaimed wages and prize money due to deceased seamen and marines upon the books of his Majesty's ships of war, expressing the places where they were born."

Mr. *Croker* could not help observing, that the hon. baronet had made no statement to justify the House in agreeing either to the propositions he had advanced in his speech, or to the motion which he had made. He could not perceive any ground stated by the hon. baronet for convincing the House, that the practice of which he complained ought to be altered, and a new system introduced. Was it not right, that the lower clerks should be prevented from disclosing that information which was in other places at all times to be had? Was the treasurer of the Navy, the secretary to the Admiralty, or the comptroller to the Navy, more obscure than any one of the petty clerks, who had entered into the bonds of which the noble lord had complained? Was it not their duty to supply the information when duly applied for; and was there any charge preferred, or any case made out of their having refused to do so? The hon. baronet maintained, that the unclaimed wages and prize-money should be made public; but he seemed totally to forget that there were in London, sharpers who were ever ready and lying in wait to cheat the unwary, and who exercised their arts and stratagems with more success upon the kind of people applying for those unclaimed debts than upon any other classes. With respect to the appearance of the proposed lists in the Gazette, he would put it to the House and the hon. baronet, whether any increased publicity could be obtained by that mode, as very few of the claimants, who were generally poor people in the country, ever read the Gazette. Such a list would create perplexity and confusion; for, there were numbers of the same name in the navy. The sharpers and petty agents would be more active than ever, and be better enabled to take every advantage of the claimants. If the hon. baronet wished to know what became of the wages and prize-money which remained due, he would tell him.—It was carried to the chest at Greenwich, the interest was employed in paying the pensions of meritorious seamen, and the capital preserved untouched for the claimants whenever they might appear. He was happy to see the noble lord opposite in his place (lord Cochrane,) as he would give him an opportunity of making amends for the mis-statement of which he had been guilty on a former evening. He could now flatly contradict the noble lord's assertions in point of fact, as he had before contradicted them in point of principle. The first case was that of William Ford. The noble lord had stated, that William Ford had paid 80*l.* for his discharge from harbour duty. He had not paid 80*l.* nor any other sum for his discharge. The fact was directly contrary: William Ford was an able seaman on board the Imperieuse, the very ship commanded by, and which exposed the ignorance of, the noble lord. Ford's wife wrote a letter to him, requesting her husband's release, on providing proper substitutes: it was attended to by the Admiralty, and Ford was discharged, having never been invalided, and having been favoured by those very arrangements on which the noble lord had founded this charge. The next case stated by the noble lord, was of J. Milton, his coxswain. The assertion made by the noble lord was, that John Milton, after being invalided for harbour duty, and a Greenwich pensioner, had also paid 80*l.* for his discharge. Now what would the House think of the veracity of the noble lord, when he could prove, beyond the possibility of doubt, that John Milton was neither a harbour-duty man nor a Greenwich pensioner? He had also received a letter from John Milton's wife, requesting the board to discharge her husband, upon the usual provision of substitutes being made. A compliance with the prayer of the letter took place, and her husband was discharged. He, surely, after such misrepresentations, would not be thought to go too far in maintaining, that the noble lord's assertions could have little or no weight, since it was so very clearly proved, that he was ignorant of what passed in his own ship. John Milton, however, after having been discharged, contrived, through the means of Gawler, whose frauds he himself had detected, to obtain upon a false certificate, the pension of 12*l.* a year from Greenwich. The fraud was discovered, and the pension was withdrawn. (Mr. Croker substantiated his statements, by reading the letters he had received from the wives of Ford and Milton, and by referring to the official documents.) But the noble lord did not seem satisfied with exposing his own ignorance, where he had the best opportunities of being informed; he went much farther, he exposed his own faults, and condemned himself. The noble lord declared, he had discharged sixty men belonging to the Pallas, in consequence of their incapacity, and risked all the responsibility of the measure at the hazard of a court-martial. If the noble lord did so, he would tell the noble lord he had done that which he ought not to have done,—he had falsified the books of the ships entrusted to his honour and his care—(Hear, hear,)—for the books which he had signed with his own hand contradicted his positive assertion. (The fact was, that 15 men only were discharged from the Pallas within the period mentioned by the noble lord, no such entry there appeared, and he could not have exchanged them for supernumeraries, because, from those books it was seen that only 29 supernumeraries had been taken on board. The fact Mr. Croker satisfactorily established, by recapitulating, *seriatim*, the cases of the individuals discharged.) Having shewn, he trusted, to the satisfaction of the House, the ignorance and the unfounded statements of the noble lord, he could not suffer the present opportunity to pass by without also shewing that the Resolutions lately proposed by his lordship were gross and scandalous libels against the honour, the valour, and the character of the British navy. He was fortunate enough that morning to receive the sentence of the court-martial held on capt. Carden, and the officers and crew of the Macedonian. It not only acquitted, in the most honourable manner, captain Carden, accounting for his capture by the superior weight of metal, numbers, and size of the enemy's vessel, but expressed the greatest admiration of the gallantry of the officers and crew of the Macedonian. The noble lord had intimated a disposition on the part of the crew of the Macedonian, in favour of the enemy's service; the fact was directly the reverse; and the sentence of the court-martial proclaimed in decisive language the fidelity of the Macedonian's ship's company to their honour and their oath of allegiance. The noble lord appeared to be peculiarly and most unseasonably unfortunate, both in his mis-statements and libels. He came to the House calling upon them to declare, that our seamen were decayed and disheartened at the very time when a new instance of the courage and intrepidity of British seamen challenged the admiration, and excited the love of the House and the country.—It was not necessary for him to tell either the noble lord or the House, that he alluded to the gallant action fought by the Shannon frigate with the Chesapeake American frigate. The communication which he was about to make to the House had not been sought for or prepared by him. It had presented itself to him, as if from a divinity, to confute and confound the noble lord's misrepresentations and libels, to rescue the honour of the British navy from unfounded aspersions, and raise the glory of the British flag still higher than ever. As he was coming to the House, the official information of that glorious engagement was put into his hands. He should not trouble the House at any length with the character of captain Broke, who commanded the Shannon. It would be sufficient for him to say, that capt. Broke was an officer no less distinguished for his indefatigable activity and unwearied enterprize, than for his skill and valour. With many occasions of making and preserving valuable prizes which must have materially contributed to increase his private fortune, he had uniformly preferred the cause of his country, and the good of the service, to his own interests. Cases had even occurred, when, although he might have very fairly preserved his prizes, he rather chose to send them, with all they contained, to the bottom of the sea, than let any opportunity slip in which his exertions and co-operation could be useful in another quarter. Capt. Broke, while commanding the Shannon, had left a most lucrative station to look for the West India convoy, when he was aware that it stood in need of his assistance. He succeeded in finding it, and it received his assistance and protection. He had, for a considerable time, looked with ardour for commodore Rodgers, and he had also succeeded in finding him; he chased him, but lost him in the pursuit. His gallant spirit was, however, at length gratified, and he found a most signal opportunity of exalting his own glory, and revenging the honour of his country. The action, which he fought with the Chesapeake, was in every respect unexampled. It was not—and he knew it was a bold assertion which he made,—to be surpassed by any engagement which graced the naval annals of Great Britain. The enemy's ship was superior in size, superior in weight of metal, superior in numbers. She entered into the contest with a previous conviction of all her superior advantages, and with a confirmed confidence of victory resulting from that conviction. All this superiority served but to heighten the brilliancy of capt. Broke's achievement; and a peculiar circumstance occurred which gave to this victory a new and richer colouring. Captain Broke was wounded. This, indeed, was not extraordinary, but the place on which he received his wounds inspired an interest that would be deeply felt, but could not be adequately described; he had the singular honour to be wounded on the deck of the enemy's ship while calling on his men to desist from slaughter.—The action did not occupy more than fifteen minutes from its commencement to its termination. The Chesapeake had made every possible preparation for the engagement. She came out of harbour in full sail. No other ship was in sight. The contest was to be singly and fairly decided,—if a contest could be called fair where there was a superiority in numbers, in weight of metal, or in dimensions, on one side. The Chesapeake's company consisted of 440 picked men, and she was larger than the Shannon by 150 tons. She had on board 49 guns. The Shannon was manned with 110 hands less than the Chesapeake, and from her class, being a 38 gun frigate, she probably had, although he could not speak with absolute certainty, 44 or 46 guns. Not a shot was fired until they were nearly side and side. The firing was great and rapid; the exchange of broadsides was uninterrupted: but nothing could resist the tremendous attack made by the Shannon. The firing was marked with precision, energy, and a spirit so unabated, as to triumph over all difficulties. The enemy's main chains were locked in the fore chains of the Shannon. The order for boarding was given by captain Broke. Not an instant was lost in carrying the order into execution. The boarders rushed at one and the same moment from every deck,—from every part of the Shannon, into the enemy's ship. The Chesapeake was carried, and was in our possession in the course of three minutes. The topmen of the Shannon attacked the topmen of the Chesapeake, and stormed the maintop.—He was warranted in saying, that the victory was accomplished in less than 15 minutes, of which only three minutes were occupied in boarding, when 310 British seamen had to contend with 440 of the enemy. Captain Broke was cut down by a sabre blow, on the forecastle of the Chesapeake. During the tremendous firing which was kept up, and the boarding, not a rope of consequence, not a netting was hurt; and after the victory the two ships sailed away, to use the expression of captain Broke, as if they had merely been firing a friendly salute. What, continued Mr. Croker, will, or rather what can, the noble lord say now? Will he persist in still maintaining that the captures made by the Americans have been caused by the decayed and disheartened state of our seamen, and not by the enemy's superiority in numbers and weight of metal? He begged leave to assure the House, that he had not introduced the account of the glorious victory gained by captain Broke, as a single instance of the success of one of our frigates; but it had come so opportunely to confound the noble lord's statement, and confute his misrepresentations, that he felt he would be doing an act of injustice to our gallant officers and seamen, to the House, and to the country at large, were he to pass it over unnoticed, at a moment so peculiarly fit and seasonable for its introduction. It was not, he knew, the day or the hour which could enhance the value and glory of captain Broke's great achievement, nor had he any occasion to strengthen by its effects, his arguments and statements against the noble lord, for he sincerely believed there could not be any day or hour, in the course of the year, in which he would not have more than ample means to contradict and disprove such assertions as the noble lord had made on this occasion.—Mr. Croker concluded with observing, that he trusted he had shewn not only the impropriety, but the danger of adopting the motion proposed by the hon. baronet.

Lord *Cochrane* admitted all that could be said of the gallantry of our seamen, but maintained that a great and rapid decay had been produced in their physical powers by the causes to which he had felt it his duty to call the attention of the House. He was pleased that he had done so in the form of a Resolution, which could neither be misrepresented or misquoted without detection. It was in the recollection of the House, that he had not cast the slightest reflection either on officers or men, collectively or individually, although the hon. Secretary had chosen to defend them in both cases. Such a line of conduct might be best calculated to excite a feeling of disapprobation towards him (lord Cochrane) in the minds of those who had not attended to the subject, but it was not an honourable or a candid mode of proceeding to put words in his mouth and then argue to refute them. He had never mentioned the name of captain Broke, or alluded to him in the slightest degree, although the Secretary had spared no pains to defend him. Captain Broke had done his duty, his men proved adequate to the task he had imposed upon them, but if his (lord Cochrane's) information was correct the Shannon, was the only frigate on the American station in which a captain would have been justified in trusting to the physical strength of his crew. The hon. Secretary seemed to flatter himself, from the exulting manner in which he had delivered his speech, that he had also refuted those facts which he (lord Cochrane) did state. "Ford," says he, "did not pay 80*l.* for his discharge, or any other sum." But does not the hon. Secretary know that this man raised four substitutes, and that he, William Ford, could not procure them otherwise than by money? Was not the difficulty of getting seamen such that the Admiralty demanded four men for the discharge of one? Under such circumstances, it was obvious that the navy was manned, not by the national bounty or the prospect of reward from the service, but out of the funds of those who had long served their country. The noble lord pledged himself to establish at the bar of the House every circumstance stated in the Resolutions which he had moved on a former evening. Ford, he repeated, paid 90*l.* for his discharge—a sum equal to all that he could have saved during his 18 years' service! No man of feeling could justify the continuance of such a practice. As to the case of Farley, the hon. Secretary assured the House that he was not invalided for harbour duty, neither did he die in the service—facts which will not be deemed important when it is known (and it can be proved) that this respectable petty officer, who had been in 13 general actions and 32 years in the navy, was not invalided until within a few days of his death; and, that unable to return to his friends, he died on board the Imperieuse. Ought not seamen to be entitled to their discharge before they are reduced to this state? Can ships be efficient whilst men so debilitated form part of their crews? It is impossible. The hon. Secretary laid particular emphasis on the case of Milton as above all the most unfounded of his (lord Cochrane's) unfounded assertions. He had discovered that Milton had received his pension through Gawler, perhaps this was the easiest way; but he (lord Cochrane) knew that Milton deserved that pension, having been wounded under his command; he was the first man who boarded the Tapageuse in the river Bourdeaux, when that ship's corvette was captured by the boats of the Pallas alone. This led him to observe, that the lieutenant of the Pallas who executed this service was not promoted by the Admiralty, until sir Samuel Hood's first lieutenant had brought out another sloop long afterwards, from the same place, with the boats of a whole squadron—nor is it probable that he ever would have obtained the reward of his gallant conduct, unless the Admiralty had felt that the one could not longer be neglected if the other was promoted. So much for impartiality! He pledged himself to prove to the House the material fact that Milton had served 17 years and had paid nearly 100*l.* for his discharge. Surely such length of service should entitle seamen to some deduction from so oppressive an expence! This was not the case, however, neither was there any period fixed to which they could look forward as the termination of their compulsatory confinement. He (lord Cochrane) did not accuse the present admiralty of originating these abuses: possibly they were even ignorant of their existence. Boards never listened to individuals, and therefore he had adopted the present mode of calling the attention of parliament and of the country to the State of the Navy. Could any person have believed that the Admiralty, instead of decreasing the sum to be paid by meritorious seamen after long service, actually increase the amount! He wished that the present First Lord would look into his father's papers, who had it in contemplation to have made many alterations and improvements in naval affairs with which he was well acquainted. Probably, had he remained in office, the seamen would have had no cause now to lament the continuance of those evils of which he (lord Cochrane) was desirous to inform the House with a view that they might investigate the subject.—Here the noble lord read an extract from a letter he had received that morning from a seaman's wife, the mother of a family; and whose husband was compelled to pay 60*l.* for a discharge, which left their children without bread. She owed 7*l.* to her doctor, who had written to Mr. Croker, stating her extraordinary exertions for her family's support as the cause of her illness. The husband, after long service, had but 17*l.* remaining, and he was obliged to go down to Plymouth, before he could get his discharge. Was this a situation in which a British sailor should be placed? He was in the judgment of the whole navy, and he would prove his facts at the bar. If the hon. Secretary had any feelings, they ought to wring his breast, and prevent him from daring to defend such abuses. He would not detain the House longer than to say, that the army was now a model on which to form the navy—so much had circumstances changed. Their service was limited, and officers who did gallant acts were rewarded by promotion and brevet. He named lieutenant Johnson who served under his command in Basque Roads as an instance to prove the unwillingness of the Admiralty to do justice unless by favour.

Mr. *Croker* would not permit the noble lord to lead the House away, by stating that his material facts had not been disproved. He (Mr. C.) had contradicted his main assertions. The noble lord had not got rid of that; and if he would give him farther opportunities, he would give him an equally satisfactory answer. With respect to lieut. Johnson nothing irregular, except in his promotion, had taken place. He left the insinuation of personal enmity in the Admiralty against the noble lord to what he thought it deserved, the contempt of the House.

Lord *Cochrane* admitted, that the hon. Secretary had contradicted his assertions, but he defied him to disprove one word contained in his Resolution. As the feelings of his brother officers might be excited by the statement of the hon. Secretary, who had stood forward in their defence though they had not been attacked, he would add again, that he had not even thought disrespectfully of any individual to whom the hon. Secretary had alluded. He admired the gallant conduct of capt. Broke, and asserted, that if the Admiralty did their duty, no 38 gun frigate of ours need shrink from a contest with the Americans.

Mr. Alderman *Atkins* reprobated the conduct of the noble lord as a senator, as much as he admired his gallantry as a naval commander. He felt a strong interest in the character of the British navy, both as an Englishman and a considerable ship owner, and he could not contain his indignation at seeing the attempts made to degrade it. The noble lord wished to prove, that after a certain time of life the seaman lost, in a great degree, his physical powers. But this charge he could disprove from his own personal knowledge: for one of the disabled and decrepid seamen, as they were called, was brought before him in his character of a magistrate the other day, charged with assaulting some scoundrels in the city of London in his own defence. When called upon for his vindication, he said, "Sir, they wanted to rob me, but I grappled with them, Sir; I grappled with one of them with one hand, and with the other hand I grappled with the other." Where, then was the proof of the diminution of physical power in this superannuated seaman? The worthy alderman proceeded in the same stile of observation at considerable length, and sat down, begging pardon of the House, for presuming to trouble them so long.

Lord *Cochrane* repelled with contempt the accusation made against him of endeavouring to excite dissatisfaction in the navy.

Sir *F. Burdett* complimented his noble friend on his exertions to benefit a service of which he was so bright an ornament. What he had stated of abuses in the navy, was done with the hope that they would be corrected. The seaman could not have a more proper advocate; and if his noble friend's advice was attended to, instead of dissatisfaction, the result would be advantageous to the navy. What improper motive could possibly be assigned to his noble friend? Every man must feel and acknowledge the importance of the services of captain Broke; particularly under the present circumstances; but where all concurred in the same feeling, it was not necessary for every person to take up the time of the House in praising undisputed merit. When it was found, that after long service, the seaman forgot every thing but his duty to his country, a strong reason was afforded for looking into his situation. The hon. Secretary had made an eloquent eulogium on the navy; but yet he refused a motion, the object of which was to do good to the relatives of our brave seamen. Economy was an excellent thing; but in such cases as this, a too close attention to it might be the worst of practice. By greater liberality, bounty money might be reduced, and, perhaps, the practice of impressment might be got rid of; for its necessity seemed only to exist, because we did not give adequate rewards. He was no patronizer of such misplaced economy. It was inconsistent with the justice of the country, to dole out such miserable pittances to brave men. There might be unmerited pensions and sinecures, the retaining of which prevented the just discharge of well founded obligations. It might be impossible to reward the deserving, while a corrupt borough influence prevailed. Let that be stopped, and some enlargement made for the sake of justice, and the nation would reap the benefit.

The division being called for, no Ayes went out; there were 63 members remaining in the House. The motion was consequently negatived.

MOTION RESPECTING THE SUPPLIES FROM 1803 TO 1813.] The *Chancellor of the Exchequer* moved, "That the Supplies voted for the service of the United Kingdom, for the several years from 1803 to 1813, inclusive, may be stated as follows; viz.

	1803.	1804.	1805.	1806.	1807.	1808.	1809.	1810.	1811.	1812.	1813.
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
ARMY (including Extraordinaries)...	11,786,000	19,108,000	18,581,000	18,507,000	19,875,000	19,439,000	21,144,000	20,337,000	21,286,000	25,264,000	33,089,000
NAVY	10,211,000	12,350,000	13,967,000	15,994,000	17,399,000	18,317,000	19,578,000	19,829,000	20,935,000	20,362,000	21,212,000
ORDNANCE	920,000	3,737,000	4,457,000	4,198,000	3,321,000	3,713,000	5,311,000	3,819,000	4,352,000	4,620,000	4,464,000
SUBSIDY	- -	- -	- -	- -	180,000	1,400,000	700,000	1,380,000	2,400,000	2,400,000	3,400,000
VOTE OF CREDIT........................	2,000,000	2,300,000	3,500,000	3,000,000	5,000,000	2,700,000	3,300,000	3,200,000	3,200,000	3,200,000	5,200,000
MISCELLANEOUS	1,627,000	1,947,000	*2,179,000	†2,731,000	1,756,000	1,454,000	1,462,000	1,900,000	1,756,000	2,047,000	‡4,185,000
Total	26,544,000	39,442,000	42,684,000	44,430,000	47,531,000	47,023,000	51,495,000	50,465,000	53,929,000	57,893,000	71,550,000
Proportion of Great Britain 15/17...	23,421,000	34,802,000	37,663,000	39,203,000	41,939,000	41,491,000	45,437,000	44,528,000	47,595,000	51,782,000	63,133,000
Proportion of Ireland 2/17..........	3,123,000	4,640,000	5,021,000	5,227,000	5,592,000	5,532,000	6,058,000	5,937,000	6,334,000	6,811,000	8,417,000

* Anno 1805, including £. 1,000,000 voted for repayment to the East India Company for Expenses incurred by them in India upon the Public Account.

† Anno 1806, ditto...... £. 1,000,000 ditto.

‡ Anno 1813, ditto...... £. 2,000,000 ditto.

And a debate arising thereupon; it was ordered, That the said debate be adjourned till the 22d inst. The adjourned debate upon the motion, made upon Friday last, respecting the Supplies voted for the Navy, Army, Ordnance, Vote of Credit, and Subsidies for Great Britain and Ireland, from 1805 to 1813, was also further adjourned to the same day.

EAST INDIA COMPANY'S CHARTER BILL.] On lord Castlereagh's motion for the recommittal of this Bill, Mr. R. Smith expressed a wish that the question should not be gone into at so late an hour, but that it should be postponed until to-morrow, as the discussion was likely to be prolonged; but lord Castlereagh pressing the order of the day, the House accordingly resolved into the committee.

Mr. *R. Smith* proposed a provision, reserving to parliament the right at any time pending the continuance of the charter to interpose its legislative authority in any manner it should deem expedient, in order to provide for the happiness or good government of the people of India, without however prejudicing the profits of the India Company. Without this amendment, the hon. member observed, that according to the terms of the Bill, a power would be granted to the executive government which was denied to parliament.

Lord *Castlereagh* said, that the clause which the hon. member proposed to amend, was exactly in the same words as the former Act, and that he saw no necessity whatever for the proposition.—It was rejected without a division.

Upon the clause respecting the proposed religious establishment in India being read,

Mr. *R. Smith* hoped, upon the same principle, that the Company was to have the authority of sending home any religious missionaries who might conduct themselves improperly, while such conduct was not at all distinctly specified in the Bill, and of course a great latitude of authority was created, the crown would be invested with the power of recalling any bishop who might be guilty of improper conduct.

Mr. *Bathurst* observed, that any bishop who should violate the laws would be as amenable to those laws as any other individual in India.

Mr. *M. Sutton* thought, that in the patent appointing the bishop, provisions might be taken to guard against any such impropriety as the hon. member seemed to apprehend.

Here the conversation dropped.

Mr. *Horner* proposed that one of the chaplains at each of the three presidencies in India, should be a clergyman of the church of Scotland, enjoying the same allowances as the other chaplains, and subject to the jurisdiction of the Presbytery of Edinburgh. The hon. and learned member mainly rested the propriety of this proposition of the agents of the India Company who belonged to the church of Scotland.

Lord *Castlereagh* suggested to the hon. and learned gentleman, the expediency of rather submitting his proposition upon bringing up the Report, or upon the third reading of the Bill, than pressing it into discussion on this stage. At the same time he was free to say, that his objections to the arrangement proposed, were not at all removed, but rather increased by what had fallen from the hon. and learned gentleman.

Mr. *Abercromby* supported the proposition of Mr. Horner. After some conversation between Mr. Forbes, Mr. Bathurst, lord Castlereagh, Mr. Grant, Mr. Robinson, Mr. R. Smith, and Mr. J. Smith, the House divided.

For the Clause - - 32
Against it - - - 21
Majority - - —11

The other clauses were gone through, and the Report was ordered to be received to-morrow.

AMERICAN COTTON.] Mr. Alderman *Atkins* moved the order of the day for committing the Cotton Bill, for the purpose of proposing the postponement of any farther proceedings upon the subject until the next session. But while he thus manifested his unwillingness to press the measure at this advanced period of the present session, against opinions and considerations which had due weight on his mind, he had no inclination whatever to give it up. On the contrary, he hoped hereafter to be enabled to bring the subject in an unobjectionable form under the consideration of the House. He thought it most desirable to remove doubts at home, and to convince America that our manufacturers could dispense with its cotton; and our ability to do so could not be questioned by any one competent to judge of the produce of our own colonies, which produce was amply sufficient for our supply. In fact, above 14,000 bales of cotton had within a recent period been imported from our colonies. But ample information upon this important subject would, he trusted, be collected before the next session, for the satisfaction of the House and the country.

Lord *Castlereagh* expressed his happiness that the worthy alderman was disposed to postpone this measure, which so many members, not at all repugnant to its principle, were unwilling to have passed at this late period of the session.

The order of the day being read, the committal of the Bill was postponed to this day three months.

STIPENDIARY CURATES' BILL.] The Chancellor of the Exchequer moved that the Report of this Bill be now taken into further consideration.

Mr. *Western* opposed the Bill. He said the provisions of it would, in many instances, contribute to the oppression of those very individuals whom it was the objects of the Bill to relieve. It also established a precedent for the violation of church property. The clergy held their property on the condition of providing for the cures; but when they did so their property could not be interfered with by the House.

Mr. *Thompson* approved of the Bill. Non-residence was a crying evil in this country, and had given rise to infidelity, contempt of religion, and numerous other bad consequences. What care could the non-resident clergyman take of souls when he did not see them. He was no friend to tythes, though he thought the clergy ought to be suitably provided for. The clergy of Scotland did not desert their parishes as was done in this country, and the good consequences were visible.

Mr. *Courtenay* opposed the Bill. He did not think that it would be advantageous to the church, that a new order of curates should start up who looked more to the present stipend, than to rising to benefices.

Mr. Serjeant *Onslow* supported the Bill. He did not see how improving the actual situation of the curates could prevent their rising in time to benefices.

Mr. *Pole Carew* disapproved of the Bill. In his opinion, this profession, like all others, should have its great rewards. Here, however, what was a penalty against the incumbent, was a benefit to the curate. His objection to the Bill was this, that while it went to prevent a plurality of livings, it did not go to prevent a plurality of curacies. His proposition would be, that no clergyman should serve more than one cure.

Mr. *H. Thornton* agreed that the Bill was not without its defects; the object, however, was to effect something more than they now had, and to improve, as far as they could, the character of the clergy. The order of things now was, to act by deputy: this disposition he was anxious should be limited and controuled; and if the higher orders of the clergy were suffered to perform that duty by deputy, to the greater length would this mischievous practice be carried.

Mr. *Wetherall* objected, that while the whole professed end and scope of this Bill was to secure the residence of the clergy, there was not a single clause to compel the residence of the curates, who were alone to be benefited by the present Bill.

Mr. *Wilberforce* observed, that the strongest argument against the Bill, was, that it was not perfect. This, he admitted; but it, nevertheless, became the duty of those who were friendly to the residence of the clergy to devise the best substitute in their power for such a deficiency. Bishop Burnet considered non-residence as perfectly monstrous, and what would bring the church of England to ignominy and contempt. To avoid this the present Bill was admirably calculated, and, as such, it had his support.

Mr. *J. Smith* expressed his disapprobation of the Bill, which was quite dissimilar to that of the late Mr. Perceval, which was introduced to attain the same object. For, by the Bill of Mr. Perceval, livings of 400*l.* a-year only were to be affected, while the Bill under consideration, at the same time that it left the higher livings untouched, fell most oppressively on those smaller livings, which formed one-third of the whole of the livings belonging to the established church; therefore the advocates for Mr. Perceval's Bill were in consistency bound to oppose this measure. Another objection to this Bill was, that it obliged the incumbent to pay the gross amount of the living to the curate, instead of the net amount—thus compelling him to pay more than the incumbent actually received, for he would have to discharge the usual deductions of land-tax, income-tax, and poor's rate, out of his own pocket. Upon the whole, he looked on this Bill as such a radical sweeping alteration in the system of our church establishment, that those by whom it was brought forward and supported, could not in future consistently resort to the language of alarm against any proposition of radical change, or, as it might be called, reform, in any other part of our system.

Mr. *Abercromby* argued in favour of the Bill, and hoped the House would take care to have it adequately executed by the bishops, who must themselves, as he apprehended, feel gratified in having the provisions of such a measure rendered as imperative as possible.

On a division the numbers were—
For the Motion - - 37
Against it - - - - 7
Majority - —30

The House accordingly proceeded in the farther consideration of the Report. Mr. Wetherall moved an amendment, that instead of the phrase "gross amount," adverted to by Mr. Smith, the words "net amount," should be inserted. After a short conversation between Messrs. Robert Smith, Pole Carew, Stephen, and J. Smith, the Chancellor of the Exchequer suggested the propriety of rather submitting his proposition upon the third reading of the Bill, which suggestion was acceded to. The Report was agreed to, and the Bill ordered to be read a third time to-morrow.

Admiralty Registrar's Bill.] The Bill was read a third time, and on the motion that it do pass,

Mr. *H. Martin* declared that he could not allow it to pass without entering his protest against it. For although the measure was brought forward by himself, its object was so much counteracted by a clause inserted in it on the motion of the noble lord, that he entertained serious objections to its enactment. By this clause the present Registrar, lord Arden, was entirely exempted from the provisions of the Bill, and the principle was recognized that that noble lord was warranted in the practice of appropriating for his own private profit the money of suitors in the Admiralty court, which money was merely entrusted to him for safe custody. Such a deviation from the practice of the court of Chancery, for instance, and also from what he conceived to be the duty of every public functionary, ought not, in his opinion, to be sanctioned by any legislative enactment, and therefore he opposed it.

Lord *Castlereagh* spoke in favour of the clause. He contended that the office was granted in the nature of a freehold, and that the advantage of being banker to the court of Admiralty, formed no inconsiderable part of the emoluments. He approved much of the Bill, but at the same time he thought it much improved by the clause added to it.

Sir *S. Romilly* condemned the attempt to pass a Bill, so materially altered as the present was by the clause under consideration, at a time when so small a portion of the House was present, especially as the Bill without that clause had been printed, and it might be supposed by many who were absent, that the Bill about to be passed, was the same as the one already printed. He contended, that its operation would be to make that legal, which in the opinion of every lawyer, was decidedly illegal, namely, the application of suitors' money to the interest of the officers in whose hands it was lodged. He wished it, therefore, considering the importance and magnitude of the alteration, to stand over till the next session.

Mr. *Stephen* contended, that the practice of a banker (and the Registrar was the banker of the Admiralty) using the money in his hands to his own benefit, provided, however, that it was forthcoming whenever required by the parties interested, was not illegal. The question, indeed, before the House seemed to be, whether the bank of England should enjoy the interest, or the individual who now enjoys it. He should prefer the latter, and therefore he should support the clause.

Mr. *Courtenay* contended that the situation of the registrar of the Admiralty was analogous to that of a master in Chancery, he therefore objected to the clause which had been added on the motion of lord Castlereagh, and said he should oppose the passing of the Bill as it stood, as it would furnish argument that the use of suitors' money by the Registrar of the Admiralty was legal, and because he could not consent that a measure thought necessary should be postponed indefinitely for the advantage of an individual, as it would be by the clause inserted.

Sir *J. Nicholl* supported the clause, deferring the operation of the Bill during the life of lord Arden, and upheld the legality of the use made of suitors' money by the Registrar, and declared, that he should vote for the Bill as it stood.

Mr. *Abercromby* expressed his surprise at the assertion that the use made of suitors' money was legal, and opposed the passing of the Bill.

The House divided—For the Bill 45; Against it 9; Majority 36. The Bill was then passed.

HOUSE OF LORDS.

Friday, July 9.

State of the Currency of the Country.] The Earl of *Lauderdale* said his chief object in proposing the Resolutions which he intended to move, was to keep alive the attention of the House and the public to the present state of the Currency of the Country, upon which subject he had intended to originate a more detailed discussion in the early part of the session, had he not been prevented by unfortunate events. He should not, therefore, now take up much of the time of their lordships, but confine himself to a few of the most prominent points of this highly important subject. Upon former occasions, when our currency had been deteriorated, it was easy to state the actual value of it as it then existed, but in the present depreciated state of our paper currency, there existed not the man that could undertake to state its value for three months to come. And however parliament might have decided that our paper currency was not depreciated, or however it might be maintained in the two Houses that there was no depreciation, but that the present state of our currency arose from a rise in the value of the precious metals, he was satisfied that no man could be found out of doors who would assent to that opinion. It was impossible, indeed, that the precious metals, from their nature, could rise in value, and the cause, therefore, of the present state of our paper currency must be sought in the true reason, namely, that it was depreciated in that proportion in which it was pretended that gold had risen in value, or at the rate of 35 per cent. The remedy for this evil was the returning to the ancient standard and the resumption of cash payments at the Bank. As to the mode of applying the remedy, however, much difference of opinion prevailed. The Bullion Committee were of opinion that cash payments might be resumed in two years—he saw no reason why it might not be done in two days. The act of parliament directed that cash payments should be resumed six months after the conclusion of a definitive treaty of peace. It was, however, a point not hitherto touched upon, as to the effect to be produced by returning, after a long lapse of time, to the ancient standard, not only upon contracts as affecting individuals, but in the contracts to a still greater amount on the part of government. Suppose the case of a farmer renting lands at 1,000*l.* per annum. It was generally understood that a farmer, if he did not make three rents of his land, had made a bad bargain; he must therefore, in this case, from the produce of his land, make 1,000*l.* per annum to pay his rent, 1,000*l.* per annum for the expences of keeping up machinery, &c. and 1,000*l.* per annum as a return for his capital, or, adding five per cent. on the whole, 3,150*l.* What would be the effect in case of resuming cash payments? Taking Bank notes at their present depreciated rate, the farmer only paid, instead of 1,000*l.* 750*l.* per annum; but if he had to pay in coin he must pay at the rate of 1050*l.*; which, as the resumption of cash payments must necessarily cause a fall in the price of every article, the value of the produce of his land would be proportionably diminished. Would it not then have a most injurious effect upon the contracts between individuals, if they were to be called upon to pay what they never in fact engaged to pay? In a still greater degree would this apply to the contracts entered into by government. In the course of the present year 50,000,000*l.* had been added to the public debt. The money borowed was at the rate of 5*l.* 10*s.* 6*d.* per cent. a higher rate of interest than had been given for any loan hitherto contracted for during the war. But how did the matter really stand? The 100*l.* in Bank notes had been estimated by the Bank themselves, in their coinage of tokens, at 78*l.* Thus at the highest estimate, government, for every 100*l.* it had nominally received, had only received 78*l.* and in the event of returning to the ancient standard, when they would have to pay back coin to the whole nominal amount of the Bank notes received, the public would have to pay for the money thus borrowed at the rate of 7*l.* 5*s.* per cent. Were not these important considerations, with a view to what might be the effect of returning to the ancient standard, and to the question as to what ought to be done, and done speedily, to get rid of this depreciated state of currency which was every year increasing? What however, did the government do? They gave a premium upon the issue of Bank notes by receiving them for Exchequer bills, and paying interest upon the nominal amount. The issue of Exchequer bills had thus increased from 7,000,000*l.* in 1797, to 43,000,000*l.* in the present year, and the interest from 350,000*l.* in 1797 to 1,800,000*l.* in the present year. The directors of the Bank, when called upon to state the value of their notes, asserted, that they were always issued upon securities, that in the case of bills of exchange they had the security of the merchant, and with respect to Exchequer bills, that they had the security of government, thus evidently proving that the Exchequer bill was a better security than the Bank note. Yet what was the fact—a number of pieces of paper printed by order of the Treasury, and signed by the proper officers, were exchanged for a number of pieces of paper printed by order of the Bank, and signed by their officers, and for this the public were charged interest to the amount of 1,800,000*l.* By this system the Bank proprietors had become enriched by increased dividends and bonuses, until they had pocketed 18,000,000*l.* of the public money, and the country bankers had increased from 200 in 1797 to 800 in the present year. If we were to have a paper currency, why did not the government at once issue it, and save the public the enormous charge for interest upon Exchequer bills? He was not advocating the policy of such a system, but if we must have a paper currency, it was surely better that it should at once be issued upon the security of government, and thus a saving be made to the public of the large sums paid merely for the exchange of the paper of government for the paper of the Bank. It was quite impossible we could go on upon the present system, the evil arising from the depreciated state of our paper currency had been increasing from year to year, and must produce still worse consequences. They had seen the ruinous effects of a paper currency in every country where it had been tried, and it was only by taking timely measures that they could avert the evil. He then moved the following Resolutions, mentioning, that the next session he intended to discuss the subject at greater length:—

"Resolved, That the charge for interest on Exchequer bills, in the year ending 5th of January, 1798, amounted to the sum of 375,456*l.*

"Resolved, That the interest on Exchequer bills, in the year ending 5th of January 1813, amounted to the sum of 1,835,369*l.*; and that the estimated charge for interest on Exchequer bills, in the year ending 5th of January, 1814, is 1,870,000*l.*

"Resolved, That this great, and increasing sum, annually paid for the purpose of obtaining Bank paper in exchange for government paper, appears to this House to be an improvident expenditure of the public money."

The Earl of *Liverpool* contended, that there was no proof whatever of a depreciation of our paper currency. There never had been in this country a paper price and a gold price, and however some persons might pay a premium for gold for the sake of convenience, there was no indication whatever, in the ordinary transactions of business, of any depreciation of our paper currency. The same thing happened with respect to silver, previous to the Bank suspending payments in cash, as many must recollect, a premium being frequently given for silver, on account of its scarcity. The noble earl had contended that it was impossible for the precious metals to rise in value, but if he maintained this, he must be prepared to contend that they could not fall in value. Now, it was a fact, well known, that the discovery of the mines in South America, had caused a most material variation in the value of the metals in Europe; and was any one prepared to maintain, that a diminution in the import from South America (owing to the circumstances of that country, arising from the Spanish Revolution)—was any one prepared to contend, that the diminution of that import, for some years past, from 30 or 40,000,000*l.* (at which it had been regularly kept up) to 7 or 8,000,000*l.* must not also have the effect of causing another material variation in the value of those metals in Europe? There could be no doubt also, that a material effect was produced by the enormous rate of expenditure at which the war was carried on. The policy of continuing that expenditure—which he considered right, but which other noble lords might consider erroneous—was at present out of the question. There could be no doubt, however, that it had a great effect, added to the extraordinary circumstances in which our commerce had been placed. Wherever the balance of payments was against a country, and consequently the course of exchange, the circulation must necessarily be affected. This, in time of peace, soon led, by its own operation, to the cure of the evil; but, in the present war, from our necessarily large expenditure, particularly in the peninsula, combined with the difficulties in which our commerce had been placed, a material effect had necessarily been produced. It was to these causes, he was convinced, was to be attributed that state of our currency which the noble lord alleged was owing to the depreciation of our paper, but which there was no data whatever to establish. The noble earl, however, had urged the extraordinary proposition, that a paper currency should be issued by government. Upon this point all experience was against the noble earl, as in every country where that had been tried, it had uniformly produced the most ruinous effects. The great mistake continually made upon the continent was, that such a paper currency having produced those ruinous consequences in every country where it had been tried, it was therefore expected that a paper currency must produce the same consequences here. The great security of our paper currency, and that which constituted the important difference between it and the paper currency of other countries was, that it was issued by an individual banking company, or by individuals for the sake of their own interest. The Bank of England would no doubt be ready to accommodate the public service, but they could refuse to issue their notes, and whenever they acted upon any other ground than their own interest, it would be the first step to their ruin. This formed the great security of our paper currency, and placed it upon a basis different from that of all other countries. He was as anxious as any one to return to a metallic currency, with a subsidiary circulation of paper, and he could foresee no difficulty in returning to the ancient standard in a short period after the conclusion of a definitive treaty of peace, though the period of six months might, under some circumstances, be found too short. With respect to the issue of Exchequer bills, it was not true that the issue of Bank notes was necessarily thereby increased, as it would be found, by inspecting the papers on the table, that the amount of Bank notes had sometimes decreased with an increased issue of Exchequer bills, and had, on the contrary, sometimes increased without any increased issue of Exchequer bills. The fact also was, with regard to Exchequer bills, that they bore a premium of a quarter per cent. which rendered the interest upon them not more than five per cent. a clear proof that the market was not over-loaded. He thought it unnecessary to enter more at length into the subject, as it was to be more fully discussed at a future period; but of this he was thoroughly convinced, that the only wise system of paper currency was that which at present subsisted in this country. His lordship concluded by moving the previous question.

Lord *Holland* said, he was little conversant with the subject now under discussion; but he was not so entirely ignorant respecting it as not to think he perceived many inconsistencies in the arguments adduced by the noble earl who spoke last. An excessive issue of paper accounted for all the phenomena at once about which they were contending, whereas the noble earl, to account for them, was obliged to have recourse to a great variety of circumstances, some of which were inconsistent with facts, and others were inconsistent with themselves. He first said the high price of gold was owing to a deficiency in the quantity of precious metals imported from South America; but when did the circumstance first arise in this country? In the year 1807. Now, the importation of precious metals from South America was never more abundant than during that year. When the subject was first discussed in the House the noble lord assigned the importation of grain and the continental system as reasons. But the continental system was now completely at an end; and with respect to corn he understood that we were at this moment an exporting rather than an importing country. The noble earl next accounted for the phenomena by the expence of the war in the peninsula, and the reduced quantity of precious metals imported. Granting the fact of the diminished importation, the circumstance would operate, not in this country only, but in Europe in general. This country was never more exclusively in the possession of the means of bringing the precious metals from South America; and France was never more dependent on this country, in that respect, than at present. How happened it, then, that in other countries phenomena of a directly contrary nature were observable? For if, throughout Europe, prices had risen instead of fallen, it was a proof there was no deficiency of the precious metals. The war in the peninsula was certainly a great source of expenditure; but he did not intirely comprehend the noble earl on this subject; for he saw no advantage that the payment in paper would give in carrying on the war, if paper was equal to gold. The argument, if it meant any thing, meant this: that we were now come to a state of things when it was necessary to cheat the public creditor; that the creditor was paid the interest of his debt in paper nominally of the value of a pound, but in reality much less. He had heard precisely the same arguments used in favour of assignats. A person asked a friend of his in France, whom he would not name, but whom any man might be proud to name as a friend, what good would be produced by the assignats? This friend said they would answer the purpose of carrying on the war. When he himself asked how they would do this? he was answered, the assignats would bring armies into the field, and a navy on the ocean: they would soon decrease in value, but still they would serve their purpose, and making use of rather a vulgar English expression, he said it would then be, the devil take the hindmost. He could not really see how paper could assist us in the war, except for purposes of delusion. They were not to consider the nominal, but the actual expence. They must have dollars to pay the army with in Spain, and whether more or less paper was paid for these dollars, was precisely the same thing, except for the interests of this country. With respect to the abstract principles of the noble earl, of the propriety of keeping the Bank independent of government, they were applicable to other business. He really could not see what advantage at present this country could derive from the great expence to which it was put, by converting one species of paper into another.

The Earl of *Ross* considered the paper currency of great use in these times of the country, as it tended to equalize the price of the currency. If it were admitted that gold could be lowered in its price on account of the abundance, it was no longer a standard, and such was the fluctuation in price, that he could not consider it to be a standard. He attributed its rise to the same causes mentioned by the noble Secretary of State.

Earl *Stanhope* said, when he came into the House he did expect his noble friend, the mover of the Resolutions, would have treated this subject in a totally different manner. He thought his noble friend would have struck at the root of the evil to which he had called their attention. But he had done no such thing, and he had made observations, not so extraordinary, because they were different from his (earl Stanhope's) opinions, but because they were in opposition to his noble friend's own published opinions. It was sometimes practised in that House that peers on opposite sides, particularly when they had no proxies, paired off—he could now pair off his noble friend most appropriately; he could pair him off with himself. He had compared his noble friend's observations to-day with his observations on another occasion, and he found them to be directly opposite. There was a printed book by the earl of Lauderdale on the depreciated currency of Great Britain, and he would just compare what had been now stated by his noble friend with what was stated by the noble author. His noble friend had this day said, that gold could not rise in value, this was his expression. Now, said earl Stanhope, let us consult the noble author. In page 28 he tells us, if gold be exported from a country it necessarily increases that which remains. [Here the earl of Lauderdale intimated there was no contradiction.] Will my noble friend have it understood that he has not said, gold may rise in value? What is the meaning of 'increase?' Increase what? No, no, I have got the noble earl, with all his shrewdness, up in a corner, and still he tries by ingenuity to slip away from me.—Earl Stanhope next proceeded to notice that the state of the times had led to the high price of gold. Their lordships were to consider how much was diffused through the war abroad, and how much exported from this country in subsidies. He did not concur in his noble friend's (lord Holland) construction of what was said by the noble Secretary of State, he did not imply that any cheating was in contemplation, nor did any danger exist of such a consequence, as that of the devil taking the hindmost. France ruined her finances by assignats, but that was issuing them without the common regulations of prudence. Many people at that day cried out "Assignats! assignats!—we will have assignats, and nothing but assignats!" They acted most foolishly, for they had great resources; for, in consequence of the confiscation of the property of the crown, the church, the emigrants, and of those who were beheaded, they had a third of the landed property of all France in their own hands. He considered the restriction of cash payments as necessary, and concurred on that subject, with the opinion of the noble lords opposite. But he was astonished at his noble friend, in not recurring to the root of the evil. He would have government come forward boldly and manfully, and propose a method of controul over the increase of country banks, which were the most mischievous of all mischievous things. He knew an instance of a bank in the north, where a friend of his deposited 500*l.* and the bank failed, and he lost his money. When the facts were inquired into, it was found that they failed for 52,000*l.* and yet it was well known they were not worth more than 3,000*l.* This was certainly a system of swindling. He knew also an instance of a bank in the south, and they issued notes payable at a bank in London, which did not exist, and when an acquaintance of his took back a 5*l.* note, the answer was, no effects. It was thus that persons were swindled, and then they were told, no effects. He had heard of another instance, a pettyfogging attorney in a country town, that could not find money for his pettyfogging business, could find money enough to set up as a banker. He need not tell their lordships what became of this bank. Indeed, they often tossed up like the two fellows, neither of whom could keep a servant, who tossed up which of them should be groom, for the purpose of swindling; so, in these country banks, they often tossed up who should be the banker, and who should be the swindler, to issue these notes upon the public. It would be judicious to lay a tax upon bankers, not for the increase of the revenue, but to keep improper persons from engaging in that business. He was, however, convinced, that several among the country bankers were most respectable men, and had contributed to produce many local advantages.

The Earl of *Lauderdale* replied. The whole of the arguments of the noble lord opposite, had been bandied about by the French legislators in the times of the assignats. The noble lord on the cross bench (Ross) had stated their doctrine much more fairly than was usually done: and, in one sense, the paper was stationary; for a slip of paper being originally worth nothing, would, no doubt, continue so. In regard to the remark of the noble lord opposite, respecting an observation of his, that the metals could not rise much, his argument had been misunderstood. What he had said was, that the metals could not rise much in any particular country above their value in other countries, and so he said still.

Lord *Holland* wished to enquire of the noble Secretary of State, in what year the importation of the precious metals to Europe was the least? He believed the exportation from South America, so late as the year 1808, was more than the amount of the three years preceding.

The Earl of *Liverpool* observed, that the importation to Spain and Portugal in former years, had been about 34 millions of dollars, but in each of the three last years it had been no more than from three to five millions. The account of former years would be found in the Appendix to the Report of the Bullion Committee, and he would willingly communicate to the noble lord, the account which he had received of the last three or four years, and which he believed to be very accurate.

The Lord Chancellor then put the question on the earl of Liverpool's motion, which was agreed to without a division.

HOUSE OF COMMONS.

Monday, July 12.

East India Company's Charter Bill.] Mr. Lushington brought up the report of this Bill. On the question that it be now received,

Mr. *Whitshed Keene* presented himself to the House, and stated, that though at the present period of the session, and in the present stage of the Bill, he had but little hopes that any thing that fell from him could impede its further progress, he felt it his duty to enter his solemn protest against the measure, as fraught with the most ruinous consequences to both countries. No advantage would arise from it to the trade of this country, as the natives had succeeded in fabricating most of our manufactures, and in the province of Bengal there was a native capital of 16 millions in the funds of government, which would effectually annihilate all competition on the part of private trade. The only way to prevent which would be to prohibit the natives from engaging in commercial pursuits. On the subject of converting the natives to Christianity, he should observe, that when men were conscious to themselves of benevolent intention they were apt to be carried away by intemperate zeal, which frequently defeated the object it had in view. The hon. gentleman then proceeded to refer to the evidence delivered at the bar, by philosophers, statesmen, and soldiers, commencing with Mr. Hastings, all of whom had been hostile to the idea of intermeddling with the religious opinions and principles of the natives. Their own code, the institution of Menû, was sufficient to give them a rule of moral conduct, and if the bramins saw their religion attacked, it would provoke the most inveterate hatred. The Mahometans were about one-tenth of the population of India, and they were the most uneasy under the British government, as it had deprived them of that ascendency they had formerly enjoyed. Nothing was more to be deprecated than any event that might induce them and the Hindoos to make common cause, and nothing so likely to produce this effect as any attempt at conversion. The missionaries had from their own press published an address to all the inhabitants of India, announcing their intention to preach to them a new faith, and calling upon them to renounce the superstitions of their ancestors. This was surely an act of great imprudence, and had as such been censured by the government. If such things had been done formerly, it was not likely that, under the provisions of the present Bill, they would be less frequent now. He was sorry to see that the *civium ardor*, he would not say *prava jubentium*, had urged ministers to adopt that clause. The hon. gentleman again warned the House of the dangers that might attend the measure, and at the same time of the improbability of success. He, for one, should be willing to run some risk, if he thought the blessings of a pure faith could be imparted to the Hindoos; but of this he totally despaired, and was convinced that the government of India alone, and not the British parliament, could secure the happiness of the population of that country.

Mr. *Ellis* conceived that a clause was wanting in the Bill, and without which it could not well pass into a law. He alluded to the want of sufficient duties to protect the West India produce from a competition with the same commodities coming from the East Indies. When the former charter was granted to the East India Company, the West India colonies were sufficiently protected, and they naturally looked for similar protection in the present instance. He was sure it was enough for him to mention the subject to have it taken into consideration by the noble lord, to whose candour he confidently appealed. He did not mean to press the question in the present instance, but he thought it would be satisfactory if the noble lord would declare that the intention of government was to lay such duties on sugar and coffee coming from the East Indies, as, in the opinion of the trade, would be sufficient to protect the West India produce.

Lord *Castlereagh* said, that the question had been very fairly put to him by the hon. gentleman; the subject had certainly engaged the attention of government, and their determination was, to protect the West India colonies as formerly; but they had thought it more advisable to put off all commercial regulations till the next session.

Mr. *Howorth* said: If I have not hitherto intruded myself upon the attention of the House, during the discussion of the India Bill, I can assure you, Sir, that it has not arisen from any indifference to the subject. Having passed many years of my life in India, it is not natural that I should be insensible to any thing which relates to the interests of that country, or to the welfare of its inhabitants; but from the opening speech of the noble lord, upon the introducing the Resolutions under which this Bill has been framed, I was led to believe that the attention of parliament would have been directed, in the first instance, to the paramount duty, as it was called, of providing for the peace, prosperity, and happiness, of that mass of population which has been brought under our controul and made subject to our government in India. The noble lord told us, "That a greater and more important question never came under the consideration of parliament than India presented, that we were legislating for the happiness of a great empire, and that he trusted the decision of parliament would erect a proud and lasting monument to the character of the British legislature." Could any man suppose that these high sounding terms in the preface, were to be dwindled down in the sequel, to the narrow limited views of settling the commercial squabbles between the merchants of the out-ports, and the merchants of the port of London—could any man have supposed, that all the great questions relating to our empire in India, its revenues, its police, its administration of justice, protection to the cultivator, encouragement to the manufacturer, and all the various relations and bearings, in which the happiness of millions was so deeply implicated, should have been wholly set aside and abandoned, for the purpose, as it now appears, of sacrificing the East India Company to the commercial clamors of the out-ports? Can any man now doubt, that the whole scope, aim, and object, of the proposers of this measure has been to lay the East India Company prostrate at the foot of the Board of Control, grasping the immense patronage of the Eastern empire into the hands of the minister, establishing an overbearing, controlling system of licensing, and thus at one stroke sweeping away all those constitutional barriers, which have hitherto, upon the renewal of every India charter, been so anxiously set up, and so jealously interposed, to protect, and guard the people, from the undue influence of the crown. Before I enter upon the principle of the Bill, I must advert to the unbecoming precipitancy with which this measure has been hurried to its present stage; papers damp from the press, placed into our hands in the moment of decision, nay in some instances never came into our hands, till after we had been called upon to exercise that judgment, they were intended to inform. The very important Resolution which related to the exclusive trade to China, foisted upon the House, already exhausted by previous debate, at the late hour of 2 o'clock, and passed without a discussion; and this very Bill which is now to be read a second time, would, but for the holiday incident of last Friday, been pressed upon us for decision, before the Bill in its amended state was itself out of the press. There is another point I would advert to, the defective state of the evidence; absurd indeed, as it may appear, to advert to evidence in a case, where evidence has been so wholly disregarded, for I would challenge the records of parliament to produce a Bill so directly in the teeth of all evidence, as the present Bill: but surely we had a right to expect, that those who claimed a participation in a free trade to India, would have produced some evidence to shew, what they had to substitute in lieu of that trade they sought to destroy; we had a right to expect evidence, to shew, that the revenue of the country would not be injured, by the measures they proposed to adopt; but all this evidence was suddenly waved,—waved as I conscientiously believe, because it could not be satisfactorily produced, but waved upon the declared and avowed pretence of not impeding the progress of that Bill they so anxiously sought to obtain. The noble lord, in stating the ground work of this Bill, affirmed, "That the commerce of India was become too great for the Company, that the capital of the East India Company was inadequate to the exigencies of their situation, and that it was absolutely necessary to pour in the national capital into the trade to India, for the relief of the Company themselves; that it was important so to renovate and improve the resources of India, as to render them beneficial to this country; that India wanted capital:"—That India wanted capital is most certain, that a country always under drain must be ultimately, exhausted, no one can doubt. But let us see how this Bill provides a remedy. From the evidence on the table, two points are irrefutably established; first, that the export trade to India cannot be materially increased; 2dly, that an unrestricted admission of Europeans into that country will be dangerous. If, then, the trade to India differs so essentially from the common principles of commerce, that it cannot by possibility be made a trade of barter, how, I would ask, are we to pour the national capital into India? How are the resources of India to be improved and renovated? Certainly not by the observations of this Bill; it can be effected only by the exportation of bullion. It is bullion that is wanting to put into a state of activity the productive powers of India; and here let me observe a very popular, but a very mistaken argument, which has been plausibly advanced. Why not place the British merchant upon the same footing in India with the foreign merchant? Is it to be endured, that the inhabitants of every other country should be permitted to trade to India, and our own merchants alone be excluded?' Why not place the British merchant at least on the same footing with the American? The answer is obvious. The British merchant cannot place himself on the same footing with the foreigner, or the American; they take seven parts in ten of their outward investment to India in bullion; this makes them welcome guests there. Let our own merchants do this, and they will be received with open arms in every port in India. Does this

Bill provide any such remedy? The merchant from this country, will under this Bill, go to India with trifling export cargoes, provide their home investments, under a system of remittance, thus adding to, rather than relieving the distresses of India, with this additional and aggravated injustice, they will be enabled to be competitors with the East India Company themselves, and that too with the Company's own property. With regard to the China trade, no one, after the admission of an unrestricted intercourse of Europeans with the Indian seas, will question the facilities with which teas may be procured from China; and the only question is, whether you can by any revenue arrangements, prevent the smuggling of teas into England: all the evidence proves the improbability of this being attainable; common sense will tell you that it is impracticable, for if you cannot prevent smuggling in a given tract of ocean, from the Land's End up the British Channel to the mouth of the Thames, how are you to guard against it, in the whole circumference of seas which surround these islands. The principal consumption of Scotland, Ireland, and Wales will be smuggled teas; it is a delusion to suppose, that you can preserve the tea trade entire to the Company; it is a delusion on the public to hold out, that the revenue will not be materially injured.

Sir; I cannot omit to remark upon some popular prejudices which have prevailed against the East India Company; they are stigmatized with the epithet of monopolists, without, as I conceive, a due regard to their origin, or to their present situation; their monopoly was originally granted to them for the public benefit, and it is but fair to ask, whether it has produced it. Through all the varied vicissitudes of nearly two centuries, they were undoubtedly pure monopolists; nobody was found to claim a participation with them in the drenchings at Amboyna; they were left in the undisturbed possession of the Black Hole in Calcutta, they had the exclusive privilege of fighting single-handed against all the powers of Europe, who had got a footing on the peninsula of India. But now that they have with a valour almost unexampled driven every hostile European from the continent of India, now that they have acquired an extent of territory of nearly 4,000 square miles, brought under the government and controul of this country a population of sixty millions, have realized a revenue of sixteen millions, have raised an army of 150,000 men, erected fortresses, established factories, and completed an immense empire, swept the Indian seas of every hostile flag, and possessed themselves of a sea coast of 3,000 miles in extent, with all the facilities of commerce, now it is, that the liberality of the British merchant claims an unqualified participation in a free trade to India; now the wisdom of the legislature interposes to render inefficient that instrument by which these acquisitions have been attained, and the equity of the British parliament is now about to refuse to secure even the dividends of that capital stock, which has been sunk in the public service; now it is discovered, that 24 merchants are very unfit persons, not to manage the government, (for that they are admitted to be peculiarly qualified for) but to manage the commerce of these dominions; they are merchants and monarchs, they are sovereigns and traders. Sir; the mischief of blending and combining these two characters in the same body, is no new idea; it was ably stated, together with other most important matter, in a letter of Mr. Francis to lord North, as far back as 1777, taken up and dilated afterwards by the superior powers of Mr. Burke, in his celebrated Ninth Report, and has again been brought into notice by an elegant political essay of lord Grenville. But I would ask, how did the East India Company become monarchs? Parliament knew they were merchants, why did they permit them to become sovereigns? And, Sir, if the natives of India are oppressed by this mixed character in our Indian government, what has this Bill provided for their relief? The case of the East India Company is really curious; they have for these last fifty years been expending their capital, incurring an enormous debt, sacrificing their commercial interests, their primary and legitimate object, as a subordinate and secondary consideration, to the acquisition of extensive territorial possessions; to one acre of which you now tell them, they have not a shadow of right. The parliament having encouraged, supported, recognized, and at length applauded the system of extending territory, is it fitting that the Company should be reproached with that state of things, which parliament created? They are now told it is a deception to talk of any existing rights they possess, that their charter was granted for a limited period, that expired, the legislature was bound by no previous grant, fettered by no existing laws; that the Company have neither commerce or territory which they can call their own, and that all that remains to them is, their being an incorporated body of merchants, with a right to trade to India, in common with all his Majesty's subjects; thus degraded in political estimation, thus disgraced in commercial character, thus elbowed out of their trade by interlopers of every description, they are still to be left in the nominal management of an extensive empire. What will be the consequence? Eternal sources of mischief will arise, encroachments on the one hand, resistance on the other; a new class of society will produce a new order of things, the government of opinion in India will be no more, and thus this Bill, which the noble lord (Castlereagh) told us was to produce a proud and lasting monument to the character of the British legislature, will, I sincerely believe, produce a lasting monument of disgrace to the administration which is thus precipitately passing it into a law. I shall vote against the Report being received, believing, that in the present advanced stage of the session, it would be more prudent to bring in a short declaratory Bill on the 1st and 2nd Resolutions, in order to give stability to your governments in India, reserving the details of the measure to be enacted in the next session of parliament.

Mr. *Robert Thornton* said, that the Bill was far from being what he wished it; but the Company had gained something from the delays which had taken place by the discussions, and from the evidence offered at the bar of both Houses. Adventurers would not now be so ready to seek their fortunes in India, where they would assuredly meet their ruin: so far the danger of the Company had decreased. Their dividends, too, had been secured, not, perhaps, in so direct a way as he could have wished; but this was another point gained. At the same time he appealed to the House not to put on the directors a responsibility too heavy for the means they would leave in their power to encounter, and to bear them out of every difficulty into which their decision might plunge them. He, however, in the present instance, would give no decisive opinion, whether the Company ought to accept the Bill or not.

The Report was then read. The Amendments were next read a first time, and on the Speaker proceeding to read them a second time,

Mr. *A. Robinson,* in pathetic terms, prayed that the House would not sanction that clause of the Bill which gave full toleration to missionaries to proceed indiscriminately from this country to convert the Hindoos from a religion, to the doctrines of which they were so much attached. He would not say that they were particularly averse to the Christian religion, but they were so much attached to their own, that any attempt on our part to alter their opinion would not only endanger, but ultimately subvert our government in India. So strong were his objections to the clause, that he should feel it his duty to move, that the preamble be omitted.

Lord *Castlereagh* said, that, after the full discussion which this clause had already undergone, and after the distinct manner in which the sense of the House had been so frequently declared in its favour, he did not expect the subject would have been again renewed. He did not apprehend that more danger was likely to accrue, or so much indeed, from this measure being in the shape of a positive enactment, than if it simply remained upon their Journals, where it had already been placed by the assent which was given by the House to the Resolution which in 1793 was submitted to their consideration. By the clause, a restrictive guard was placed upon the missionaries who were to go out; and the free exercise of their religion was guaranteed to the natives, in so clear a manner, that he thought the measure was more calculated to give satisfaction than to elicit discontent; and with this impression on his mind, he certainly should feel it his duty to give it his warmest support.

Mr. *Forbes* had already so frequently troubled the House on this subject, that he felt most reluctant to again present himself to their attention; yet, in the present stage of this question, he thought it necessary to say a few words in opposition to this clause, towards which he entertained the same hostility as ever. He had that morning received two letters from gentlemen, who were intimately acquainted with the manners, habits, and language of the natives of Hindostan, and from them it appeared, that the introduction of Christianity into India would be attended with the worst possible effects; and this, he was convinced, was the opinion of ninety-nine out of every hundred of those who were at all acquainted with India. Had not the examination of the witnesses at the bar of the House been prematurely stopped, he had no doubt that they would have distinctly proved the truth of this assertion. Indeed, he did understand that this examination was to have been renewed at some future period; and why that pledge had not been redeemed, he should like to be informed. In all events, he felt it his bounden duty to give every opposition in his power to the clause.

Lord *Castlereagh* declared that he had never said this inquiry was to be renewed at a future period.

Sir *H. Montgomery* did imagine that such a pledge had been given, and was surprised it had not been fulfilled.

Lord *Castlereagh* said, if it was wished that any further inquiry should take place, those gentlemen who entertained such a wish, had it in their power to submit a motion to the House for that purpose.

Mr. *Forbes* understood that the examination upon this point had only been deferred, and by the use of the term deferred, he did think it would have been resumed at some future period.

Mr. *Stephen* said, that the permission complained of was in itself perfectly innoxious, as no power was granted to compel the Hindoos to change their religion. He felt extremely sorry to hear gentlemen of great talents opposing the diffusion of Christianity over any part of the world. Their speeches could not be soon forgotten, but he conceived them as brilliant examples of superlative talents misapplied. The House was bound to continue the permission granted to missionaries by former acts of parliament, to prevent the Hindoos from committing the very atrocities so much apprehended by gentlemen who spoke on the other side. What respect could we command from a people whom we should now deprive of the benefits of a religious education which former parliaments declared to be essential to their happiness? If the great obligations of religion impressed upon our minds the duty of instructing our subjects of other countries in its doctrines, should we put it in the power of an enemy to say, that we neglected so useful a duty from a pusillanimous fear of danger to our commercial interests? Should we, who possessed the sovereignty of so vast an empire in India, tremble at a proposition to diffuse a religion which the government of every other country in Europe took pains to extend over their limited territories? So far were the natives in general from being averse to the Christian religion, that, as appeared from the evidence before the House, a very great number on the Malabar coast had been converted, under the direction of one individual, in a very short time; and so great was their attachment to the new religion, that it was found extremely difficult to restrain them in the effervescence of their zeal, from destroying Gentoo images which they had formerly worshipped. How, then, could it be said that an attempt on our part to extend the benefits of Christianity to the Indians would endanger the massacre of the European inhabitants? He denied that the mutiny at Vellore was occasioned by the professors of Christianity in India. It was proved on the contrary, that that lamentable event was produced solely from the severities inflicted upon the native troops to compel them to discontinue the outward characteristic marks of their casts. The hon. and learned gentleman then expatiated at length on the immoralities so habitual to the lower classes of Indians, which he chiefly attributed to their ignorance of Christianity. In confirmation of that opinion, he would quote a charge of the late Recorder of Bombay (sir James Macintosh) to the grand jury, wherein that learned gentleman in glowing terms, deplored the prevalence of perjury, and other offences, so habitual in India, to their ignorance of the Christian religion.

Mr. *Tierney*, though he professed himself to be as friendly as any man to the propagation of Christianity, objected both to the clause and the preamble as a legislative measure. The clause to which this preamble had been prefixed originally referred to nothing else but the right to trade; and it was most apparent that the preamble and clause were really inconsistent with each other; and he contended that the preamble was wholly unnecessary. The object would be as perfectly attained if the preamble were omitted, as if it were suffered to remain. There were two points connected with the subject, which he should always maintain: first, to endeavour to disseminate the religion he professed; and next, not to make such an attempt, at the hazard of other people. And, when gentlemen who had passed much of their time in India, on being questioned, stated that an attempt to introduce Christianity, in the way proposed, might be attended with fatal effects, he could not help feeling considerable alarm. The question was not whether the propagation of Christianity was to be allowed, but whether the intention was to be proclaimed aloud, in a manner calculated to excite the passions and prejudices of the natives. He would therefore be cautious, in introducing Christianity amongst them, not to put to hazard the British interests in India, as well as the lives of a great number of persons. He was perfectly ready to afford every facility to religious persons for proceeding as missionaries to India, but he felt insuperable objections to such facilities being made the object of legislative enactment.

Mr. *Wilberforce* contended, that if the preamble were omitted, the inference would be, that the legislature were hostile to the performance of that, which, by their Resolution, they had agreed to do; that they had completely changed their minds, and now saw great danger in that course of proceeding, from which they originally augured none. The gentlemen who, on former occasions, had opposed the interference of the legislature, in the manner proposed, had argued, that the Hindoo religion was so pure, as to render it quite unnecessary to introduce Christianity amongst them. But the right hon. gentleman proceeded on a different view of the case: he did not object to the propagation of Christianity, but to the means which were to be employed. But surely the right hon. gentleman must know, that, for 20 years, a resolution had remained on their Journals, recognising the necessity of disseminating the Christian religion in India. That resolution was put into the Bill of 1793, but unhappily the House was prevailed upon by arguments similar to those that had been used on the present occasion, to strike it out. By doing this, it was supposed that the legislature had expressed an opinion hostile to the reasoning of those who supported the clause; and major Scott Waring had actually stated that the sentiments of the legislature were so expressed. Now, if the preamble were omitted, it would be giving up all that they had in view. And though the right hon. gentleman and a few others, might see the matter in its true light, and be aware that the opinion of the legislature was not hostile, yet the general feeling of the country would be different. The right hon. gentleman should also recollect, that this proposition went to introduce light, and knowledge, and science among the people of India. Indeed, from the dissemination of knowledge amongst them, he hoped that the doctrines of the Christian religion would meet with a more general reception, than even the labours of the missionaries could produce.

Mr. *Fawcett* supported the amendment.

The House then divided: For the amendment 24; Against it 48; Majority 24.

A short conversation then took place between lord Castlereagh, Messrs. R. Smith, Rose, Atkins, and Forbes, on the clause allowing for a certain period the entrance of India built shipping into this country. Two amendments were proposed by Messrs. Rose and Smith, which were inserted, and the clause was then agreed to. On the clause relative to the appropriation of territorial revenue for investments, Mr. R. Smith proposed a clause, which, on the suggestion of lord Castlereagh, and after some observations from lord A. Hamilton and Mr. Tierney, he agreed to withdraw till the third reading of the Bill, to give his lordship an opportunity of examining it. The clause equalizing the service, either in India or in the college of Hertford, and allowing persons to receive certain salaries, after a limited period, caused some conversation, and the House divided upon it: For the clause 45; Against it 16; Majority 29.—Mr. R. Smith proposed, that copies of all regulations made in India, should be laid before the House annually, which was agreed to.—The report of the other clauses were then received; and lord Castlereagh moved, that the Bill be read a third time to-morrow. To this Mr. R. Smith, and Mr. P. Moore made some objections; but the noble lord's motion was agreed to, without a division.

HOUSE OF LORDS.

Tuesday, July 13.

HELLESTON ELECTION BILL.] Earl *Stanhope* said, that this Bill stood for a second reading to-day. It was necessary that the rights of individuals should not be affected without due examination by that House, and the late period of the session would not admit the opportunity of examining the merits of this measure. He should therefore move, that the Bill be read a second time this day three months. He was not at the same time disposed to object to the Bill; indeed, he highly approved of it, but it was too late for their lordships to proceed with any enquiry on the subject.—The noble earl's motion was then agreed to, consequently the Bill is lost.

HOUSE OF COMMONS.

Tuesday, July 13.

STIPENDIARY CURATES' BILL.] The Chancellor of the Exchequer moved the third reading of the Bill.

Mr. *Western* restated his objections to it, as proceeding on a novel principle, and violating the freehold property of the church. He moved, that the Bill be read a third time that day three months.

Mr. *Ryder* defended the Bill, on the principle that the acknowledged freehold property of the church was held on the condition of the duties being performed. All that was attempted was, that the incumbent who did not reside should provide the means for an officiating minister. The Bill, it was hoped, would diminish pluralities: 3,000 parishes were, at present, without either incumbent or curate resident. The licences for dissenting meeting houses had increased in 14 years from 90 to 508; and the licences for their preachers still more.

Mr. *Wrottesley* disapproved of the Bill, and considered the increase of licences to dissenters, owing to other causes; the greater part of the population in some manufacturing places being dissenters from the church.

Mr. *Manners Sutton* thought the principle of the Bill quite unobjectionable; but had doubts respecting the means in which its object was to be obtained. It might possibly introduce unexampled embarrassments, and even beggary, into the church establishment. He stated a number of cases, in which the provisions, if executed, would be attended with great hardships. The Bill was also calculated to produce injurious impressions of the character of the church, and particularly of its heads. Above 800 livings were under 50*l.* a-year. The Bill had been altered, but so as to shew a distrust, while at the same time a discretionary power was left to the bishops. He was afraid of its consequences; but should be glad to change his opinions, if they were shewn to be unfounded.

Mr. *Preston* spoke in favour of the Bill.

Mr. *Smyth* expressed his surprise, that the Chancellor of the Exchequer should have proposed the third reading of this Bill, at so late a period of the session. He thought it required further consideration; and hoped the right hon. gentleman would not object to postponing it to some future period.

Mr. *Bathurst* was apprehensive that the tendency of the Bill would be to lower the character of the clergy. The higher emoluments of the church were the prizes held out to its professors, and the Bill might diminish the number of the objects of ambition to those who entered into the clerical profession. He wished for alterations; though not prepared to negative the measure.

Mr. *Pole Carew* opposed the Bill, which, he said, was considered objectionable by all the heads of the church.

The House then divided: For the Bill 66; Against it 9; Majority 57. The Bill was then read a third time. After which some new clauses were brought up and added to the Bill, by way of rider, and the Bill passed.

MOTION FOR MONUMENTS TO THE MEMORY OF DEPARTED OFFICERS.] Lord *Castlereagh* rose to move, in conformity with his notice, an Address to the Prince Regent, praying that he would be pleased to cause monuments to be erected to the memory of several distinguished officers who had recently fallen in the service of their country. There was, he observed, no description of commemoration for meritorious services which could be more grateful to the sentiments of officers when alive, or more soothing to the feelings of the friends and relatives of those who had fallen, than to receive from the liberality of parliament this memorial to their fame. The principles by which parliament were accustomed to regulate their conduct in this respect, were, first that the service rendered should have been conspicuous, and secondly, that it should be connected either with naval or military achievement. It was likewise the practice only to come to votes of this nature in the case of officers of a certain rank, and to whose conduct some arduous duty had been confided. He would now, having premised these general rules by which the proceedings of that House had hitherto been governed, shortly call their attention to some of the particulars attending the claims which the conduct of the deceased officers in question had upon the gratitude of parliament. The first whom he should name was major-general Bowes, who, although he had not fallen in a general action, had evinced that degree of gallantry and devotion in storming the forts of Salamanca previous to the engagement, and in returning to the contest after having been wounded in the breach, and obliged at first to retire, which amply entitled his memory to every honour that could be paid to military zeal. He fell, but his fall was graced by the complete success of his enterprize; an enterprize which, if it had not succeeded, might have materially detracted from the glories and advantages of the subsequent general engagement. The next officer was lieut.-colonel sir W. Myers, who fell in the battle of Albuera, commanding a brigade of fusileers, half of whom perished with their leader in the field. Although his rank therefore was not equal to that hitherto recognized in votes of this description, he trusted that it would not be deemed any departure from the spirit of the regulations observed on previous occasions to pay this tribute to the merits and acknowledged services of that gallant soldier. With respect to colonel Cadogan, the distinction which he had acquired for himself in the recent battle of Vittoria was still fresh in the recollection of the House, but there were other circumstances in his conduct at other places, and particularly at Fuentes d'Honore, which had attracted the attention of lord Wellington, and pointed him out to the country as one of its most rising military ornaments. It was impossible to advert to the last scene of his honourable career without an emotion of admiration, or to contemplate without ranking amongst the most decisive tokens of an heroic spirit, that generous ardour which prompted him after receiving his mortal wound, to express, as the wish at that moment nearest to his heart, to be conveyed to an eminence from which he might behold the conclusive and splendid triumph of that memorable day.—The other individual was the late major-general sir Isaac Brock. By the vigour of his mind and the comprehensiveness of his arrangements, that officer had been called to impart a confidence to the inhabitants of that part of Canada where he had commanded, and a sense of the value of their connection with this country, highly favourable to the frustration of the enemy's designs. But he had not rendered himself less distinguished in the field, in which with the loss of his own valuable life he had utterly discomfited the division of the American army commanded by general Hull. Taking all these circumstances, both of his life and death, into consideration, he felt satisfied that the intermediate delay which had been suffered to take place, would not dispose the House to refuse their concurrence with this vote, as holding forth an animating example to future officers who might be entrusted with similar duties in his Majesty's more remote dominions. It was, he felt, a most grateful task to record the examples of heroism, and to trace the career of victory, which had distinguished this country, and which had been, in latter times, carried to a degree of pre-eminence never before attained—never, perhaps, paralleled in military history. It was, indeed, a most grateful task to look back to such deeds, and to pay the debt of gratitude to those heroes who had contributed to produce them. In the enthusiasm, however, which such a review was calculated to excite, and the grateful feelings to which it must give rise, he would ever be unwilling to transgress the spirit which had heretofore influenced the practice of parliament in distributing its favours. But in this case there was no such transgression; and he was satisfied that there was no better mode of providing for the defence of the country—of laying by a stock of public spirit and personal valour, upon which national security could more safely repose, than in the proper distribution of national honours—because such distribution, while it distinguished the memory of the dead, furnished an incentive to the exertions of the living: thus conducing at once to maintain the glory and the safety of the empire. The noble lord concluded with moving Addresses to the Prince Regent, praying that Monuments may be erected in the Cathedral Church of Saint Paul, to the memory, 1. of major-gen. Barnard Foord Bowes, who fell gloriously on the 27th of June 1812, while leading the troops to the assault of the forts of Salamanca; 2. of major-general sir Isaac Brock, extra knight of the most honourable order of the Bath, who fell gloriously at the head of his Majesty's troops on the 13th of October 1812, while resisting an attack made by a very superior force of the enemy upon the port of Queenstown in Upper Canada: 3. of lieut. colonel sir William Myers, bart. who fell gloriously in the command of a brigade of his Majesty's forces upon the 16th of May 1811, when the French army received a signal defeat at Albuhera, from the allied troops commanded by marshal sir William Carr Beresford: 4. of colonel the hon. Henry Cadogan, who fell gloriously in the command of a brigade of his Majesty's troops at the memorable battle of Vittoria, when a complete victory was gained over the French army by the allied forces under the command of the marquis of Wellington.

Sir *Joseph Yorke* recommended that measures should be taken to abridge the expence usually attending the erection of such monuments, or at least that the ingenuity of the construction should in some degree be equal to the amount of the expence.

The several Addresses were then agreed to.

EAST INDIA COMPANY'S CHARTER BILL.] Lord Castlereagh moved the third reading of this Bill.

Mr. *Robert Thornton* implored the noble lord not to press the third reading at present, but to allow the court of proprietors a reasonable time to read and consider the Bill in its amended shape. He then stated the resolution which had been this day come to by the court of proprietors, in which they called upon those directors who had seats in parliament, to move for a short delay for the purpose he had stated.

Lord *Castlereagh* professed great respect for the court of proprietors, and a desire to conform to their wishes as far as he could in duty do so. The convenience of parliament, however, must not be forgotten. The session was now drawing to its close, and this was almost the only business before that House. Many gentlemen in that House, and many noble lords in the other, were, at great inconvenience to themselves, obliged to stay in town to attend the progress of this Bill. It was not, however, this personal inconvenience that he meant to dwell on, but the inconvenience of parliament itself, in being placed under the necessity of disposing of the Bill in its future stages with a very thin attendance of members, if there was now any unnecessary delay. He thought, however, that the reason which the court of proprietors had assigned for delay, should rather operate the other way, and make it necessary for the House to proceed. If they wanted to see the Bill in its perfect form, they should wait till it had passed the House, with all the amendments which might yet be introduced. If it passed the two Houses, they might then see it complete, and printed; and time might then be allowed them to make their option, whether they would accept it, or not. He did not suppose that any person would advise his royal highness the Prince Regent to give the royal assent to it, if the proprietors did not choose to accept it. As to the principle of the Bill, he thought that the court of proprietors could hardly expect that any observations which they might now make would be sufficient to alter the opinion which parliament had deliberately expressed after the maturest discussion. As to the details of the Bill, it must be recollected, that the House had the assistance of many of the directors, who must be supposed to be well acquainted with the opinions as well as the interests of the great body of proprietors. It should also be recollected, that this Bill was not unchangeable for the term of 20 years, but that any mistake which might have crept into it, could be remedied in another session, or any one of the details might hereafter be altered, if found necessary. The general principle of the Bill had already been decided on by parliament. He, therefore, should oppose any delay, which would necessarily cause the Bill in its remaining stages to be disposed of by a thinner attendance of members.

Mr. Grant and Mr. R. Smith said a few words in favour of the delay that the court of proprietors asked.

Mr. *Bathurst* opposed delay, on the same grounds which had been taken by lord Castlereagh.

Mr. *Tierney* reminded the noble lord and the House, that the time which he had all along suggested as the most proper for a short delay, was between the Report of the Bill and its third reading. He believed, that there was no instance in the Journals of parliament, of a Bill of such great magnitude being read a third time the very day after the Report was received. As for withholding the royal assent, was any minister prepared to advise his royal highness to put his veto on the Bill, if it should pass the two houses of parliament? It appeared to him no more than reasonable, that some short delay should now take place, (suppose till Friday next,) to give the proprietors time to read this Bill, with all its amendments, and consider whether they would accept it, or not.

The order of the day having been then read, and the question being put, that the Bill be now read a third time,

Mr. *Tierney* rose, and moved as an amendment, that instead of the word 'now,' the words "on Monday next, or Friday," (if more agreeable to the noble lord,) should be inserted.

Lord *Castlereagh* would not consent to what appeared to him unnecessary gratuitous delay.

The House then divided; For Mr. Tierney's Amendment, 18; Against it, 57; Majority, 39.

The Bill was then read a third time. After which,

Sir *H. Montgomery* proposed a clause to allow the military officers of the Company, after a residence of 15 years in India, to be eligible to seats in the council. After dwelling for some time on the merits and services of the Indian army, he complained that the officers were much worse off than the officers in his Majesty's service. There was nothing to prevent the King's officers from holding any situation in this country, and yet the Company's military officers must not obtain seats in the council, nor even hold the office of military secretary. In the King's service there were honours and encouragements given to meritorious officers; whereas in the Company's service, the greatest poltroon, if he but contrived to escape the clutches of a court martial, was as sure of rising by seniority as if he had been the most meritorious officer. In the King's army, an officer who had served 20 years was always allowed to sell his commissions (even if he had not purchased them) at the regulation price, which would purchase an annuity of more value than the pension which an Indian officer would receive. He himself had served 19 years and nine months in the Indian army, and had no pension at all. He thought that the situation of the military officers of the Company ought to be improved.

Mr. *Grant*, sen. was fully sensible of the merits of the military servants of the Company, and should always be happy to concur in redressing any of their grievances; but did not think this should be done at the expence of the civil servants, whose ambition was naturally directed to those situations. Although there might be some things to amend in the state of the military servants, yet he believed that, upon the whole, there was no military service in the world where there was less reason to complain.

Lord *Castlereagh* agreed with the opinion of the hon. director; and said, that it must be recollected, that the officers of the Indian army had their commissions and promotions without purchase; that after 25 years' service they might retire on full pay; and that if they chose to stay in India, they got the command of regiments (a very lucrative situation) sooner than the officers in the King's service usually did. He therefore thought the Indian army were as well off, upon the whole, as any other army. If, however, any improvements could be suggested, he should be happy to concur in their adoption. At the same time this was not the moment to decide upon a question which required very mature consideration. The present Bill would by no means embarrass parliament, or tie up their hands from any future regulations which might be advantageous both for the Company and the public interest. He recommended, therefore, the hon. baronet to withdraw this clause.

Sir *H. Montgomery* accordingly withdrew this clause, and proposed another for allowing military officers to be employed as political agents at the courts of the native princes. In support of this clause he instanced the services which had been rendered by sir Barry Close, sir J. Malcolm, and colonel Walker.

Lord *Castlereagh* thought the clause superfluous, as the Company might at present do all which was proposed by this measure.

Mr. *R. Smith* said, he could assert of his own knowledge, that repeated pointed orders came out from the government at home, forbidding the appointment of military men to diplomatic situations: this seemed as if it were a systematic principle of the directors, not to suffer the civil officers to be put in competition with the military. In his opinion the military were most fit for diplomacy in India.

Mr. *Grant*, senior, allowed that such orders had been issued in consequence of the complaint made by the civil officers, that they were too much superseded by the military. Upon the whole there was a pretty equal distribution of the employment. He thought this should be left to the discretion of the Company, and not be made a subject of legislative interference.

The clause was then negatived without a division.

Mr. *P. Moore* proposed a clause to enable persons who had resided ten years in India, to retain their rank on their return to this country, without the votes of three-fourths of the proprietors.

Lord *Castlereagh* said it was not the policy of the government to allow facilities to their experienced servants to return to England. The clause was negatived.

Mr. *W. Smith* proposed a clause to abolish the decision by ballot, and directing the secretary to take the votes openly, as in the Indian presidency, while it should be competent for any members to protest; and also that absentees, on the requisition of two members, should assign the causes of their absence; and further, that notice of important questions should be given on demand of two members.

Lord *Castlereagh* thought the clause too complex: it would be better if it were left to the Company, to adopt some regulation on this subject. It was not a case so glaring, as the decision by lot, which had last night been rectified.

Mr. *R. Thornton* had no objection to so much of the measure as abolished the ballot, though, he believed, no great inconvenience resulted from it. The rest of the measure, he thought, tended to degrade the directors, and impede their proceedings.

Mr. *Grant* spoke to the same effect, observing, that he wished all possible publicity and responsibility should be attached to the votes of the directors.

Mr. *W. Smith* then allowed his clause to be negatived without a division, on an understanding that the Company would adopt some such regulation as that proposed. It was unnecessary to extend the shield of a secret ballot over persons who were not likely to be influenced either by the *civium ardor*, or the *vultus instantis tyranni.*—It was then negatived.

No other clause being proposed, the House proceeded to amendments in the body of the Bill.

Mr. *R. Thornton* proposed an amendment in the appropriation clause, to the effect of making the bills payable in England fall on the territorial instead of the commercial fund, in the same way as if they were payable in India.

Lord *Castlereagh* contended, as these debts were secured on the India revenue, the amendment was unnecessary.

Mr. *R. Thornton,* on this, agreed to withdraw it; but on the fourth appropriation clause, he proposed an amendment, withdrawing great part of the commercial fund, to be employed by the Company, from under the controul of the Commissioners for the Affairs of India.

Mr. *Canning* objected to this.

Lord *Castlereagh* agreed, that so far as the Company had a commercial capital, neither that House nor the Board of Controul had any power to interfere. If the privilege here conceded to the Board of Controul were carried to excess, the affairs of the Company must stand still. If the country did not give to the Company in India, the Company could not give to the country in Europe.

Mr. *Phillips* was against the amendment.

The amendment was negatived after a short conversation.

When the Speaker arrived at the clause respecting the church of Scotland,

Lord *Castlereagh* proposed that it should be omitted, arguing that a legislative enactment, commanding the Company to maintain chaplains or ministers in each of the presidencies would be impolitic, and might lead to misunderstandings in our other colonies.

Mr. *W. Dundas* observed, that the clause in question had originally been introduced at his suggestion, but that having received an assurance from the Company, that they would at their own expence maintain the Presbyterian ministers, and afford them all proper means and assistance in the promulgation and exercise of their faith, he had consented that the clause should be withdrawn.

Mr. *R. Thornton* said, that as chairman of the Court of Directors, he was confident he could assure the House, and particularly the Scotch members, that the East India Company would do not only all that was necessary, but all that could be reasonably required.

Mr. *Grant,* sen. confirmed this statement, and pledged the Company, as far he possessed the power, to endow churches, and provide maintenances for the clergymen of the church of Scotland.

Mr. *Abercromby* doubted whether under the provisions of the charter of 10th W. 3, the Company could allow any ministers to proceed to India who had not the licence of the archbishop of Canterbury, unless under the higher sanction of a legislative enactment. He, therefore, proposed an amendment, that the clause should be retained, introducing the words, "it shall, and may be lawful for the Company to allow Presbyterian ministers to proceed to India."

Mr. *R. Thornton* could not answer for the archbishop of Canterbury, it was not his province, but he thought he might answer for the readiness of the Company.

After a few words from lord Castlereagh, Mr. Abercromby's amendment was negatived, and the clause was omitted, Mr.

Abercromby, however, warned the Company, that he should narrowly watch their actions, and if they did not act up to the letter of their undertaking, he should submit a motion upon the subject next session, when he expected to be told, that it had been found impossible to carry the promise they had made into execution.

Mr. *Tierney* proposed several financial amendments in the appropriation clauses, which were severally negatived.

The Bill was then passed.

HOUSE OF LORDS.

Wednesday, July 14.

Itinerant Auctioneers' Bill.] The Earl of *Lauderdale* presented a Petition from the lord mayor, aldermen, and common council of the city of London, against the Bill for the purpose of preventing sales by itinerant auctioneers. His lordship stated, that no doubt could be entertained but the fair dealer was much injured by the present system of itinerant auctioneers. A person in the latter capacity, travelling from place to place, and proceeding to the sale of goods, produced a mischievous effect, not only to the regular and stationary tradesman, but he tended to delude and injure the common purchaser. Their lordships were aware of the burthens which the fair tradesman had to support on account of the taxes, and that they were materially injured by this mode of sale, but the purchaser was also deluded, for the goods thus sold did not go generally to the best bidder, persons being employed by the auctioneer to purchase the goods in again, if they did not fetch the price upon which he calculated. It was thus that a bad article was oftentimes imposed upon the unwary purchaser; and he had heard of an instance of two men, who obtruded themselves upon the public as Hamburgh merchants, who were not the characters they represented themselves to be; that they had sales of this description at Greenwich, Edmonton, and other places, where they pretended to sell German linen, and yet he well knew that the article was manufactured in Scotland. The noble earl, however, contended, that the Bill on their lordships' table would not afford the relief which was desirable, and at the time of moving that the Petition do lie on the table, he also gave notice, that he would, to-morrow, move that this Bill be committed that day three months.

The Petition was ordered to lie on the table; and it was also ordered, that the Lords be summoned for the service of that House to-morrow.

Admiralty Registry Bill.] Their lordships having resolved themselves into a committee on this Bill,

Lord *Holland* adverted to a clause, which provided that the Registrar should in future be restricted as to the use of monies which he might *per virtutem officii*, hold in his hands; and he thought the legislature ought to be careful in pronouncing their decision upon the legality or illegality of the conduct of the officer for the time being.

The *Lord Chancellor* maintained that this Bill contained nothing which could make that illegal, which at present might be legal in the conduct of the person holding that situation, or on the contrary, which could render that legal which at present was not so.

The Earl of *Lauderdale* called upon the noble and learned lords to say, what was the legality or illegality of the present discharge of that officer, for he deprecated the idea of throwing by a side wind a legal construction of his conduct by this Bill, if by the law as it now stood that conduct was illegal. He alluded to the case of Mr. Rigby, where lord Kenyon, when attorney-general, had declared that a public officer making a benefit of monies reposed in his hands by virtue of his office, acted illegally.

The Lord Chancellor, lord Redesdale, and earl Stanhope, generally contended that the effect of this clause would only tend to fix the commencement of the Bill, but that it would not affect the question of legality or illegality in past or present conduct in the office of registrar, and while the Bill provided new regulations, it further provided they should not commence during the interest of the present officer.

Lord *Ellenborough* defended the legality of an officer, if not otherwise directed by law, deriving an advantage from public money deposited in his hands. If he trusted it to a bank, they would not take the custody without a benefit, and he did not see why the person in the first instance should not have such an interest to compensate the risk which he undertook in the safe custody, provided that the money was always ready to be produced, according to the terms whereby it was vested in his hands.

Lord *Holland* expressed himself generally satisfied with the explanation of this clause, but he had not heard any argument in favor of the other provisions of the Bill.

The Bill then passed through the Committee, and was reported without any amendment.

HOUSE OF COMMONS.

Wednesday, July 14.

Mr. Palmer's Grant Bill.] The Chancellor of the Exchequer moved the third reading of the Bill.

Mr. *Tierney* asked upon what ground the sum of 50,000*l.* was selected as the amount of the proposed grant to Mr. Palmer, particularly after committees of that House had reported that this gentleman was entitled to 84,000*l.* in addition to his salary from the Post Office.

The *Chancellor of the Exchequer* replied, that the sum alluded to by the right hon. gentleman was inserted in the Bill, because it was estimated to be a fair reward for the ingenuity of Mr. Palmer's invention, and he supposed that those who thought that gentleman should have more, would not object to the Bill, especially as Mr. Palmer had expressed himself content with the proposed grant.

Mr. *Tierney* differed from the right hon. gentleman's estimate of Mr. Palmer's services. But he wished to know whether it was intended to grant Mr. Palmer a clear sum of 50,000*l.* for if the grant were to include all, he really believed, that from the expences incurred by that gentleman in prosecuting his claim, he would not have to receive above 35,000*l.* This diminished grant he was, however, disposed to consider as a sacrifice to a party in the other House, who, although the privilege of granting money belonged to the Commons, had succeeded in repeatedly defeating the declared sense of this House to do justice to Mr. Palmer—and this proceeding was taken without even requiring any conference with the Lords to ascertain the reasons of such repeated rejection. Mr. Palmer might be induced, under all the circumstances, to express himself content with the proposed arrangements; but as a member of parliament and a friend to justice, he felt it his duty to oppose it.

The *Chancellor of the Exchequer* said, that it was not his intention to propose any farther grant than that specified in the Bill. As to the expences incurred by that gentleman, the public could not be fairly called upon to indemnify him.

Mr. *W Smith* could easily conceive that the spirit of Mr. Palmer, wearied out by repeated disappointments, might consent to accept less than the fair amount of his claim, but that could not reconcile his mind to the proposition. However, as it would be competent to any member of that House, notwithstanding this measure, to move in a future session for a farther grant to Mr. Palmer, he should not in that understanding oppose the motion.

Mr. *Rose* vindicated the grounds upon which he had opposed the demand of Mr. Palmer; and as to the observation of the right hon. gentleman, he could not conceive it any attack upon the privileges of that House, because the Lords having a voice in the enactment of any legislative measure thought proper upon this occasion to differ from it.

The Bill was read a third time and passed.

American Claims.] The *Chancellor of the Exchequer*, after observing that he was about to submit a motion, which it was the intention of Mr. Perceval (had not his lamentable catastrophe prevented it) to have brought under the consideration of the House, proposed that an advance should be made to the American commissioners. These commissioners had been acting under the authority of that House for no less than nine years, without receiving any pay or allowance, and were they to be paid only according to the rate of ordinary commissioners, they would be entitled to 4,500*l.* a year, which would produce a demand of 45,000*l.* Their demand amounted to 60,000*l.* but into the merits of this demand he did not at present propose to enter. He could not, however, feel it fair towards those gentlemen to allow another session to pass over without making them some advance, and therefore he had to move an Address to the Regent, praying "that the sum of 25,000*l.* net, to be advanced on account to Thomas Macdonald, esq. and John Guillemard, esq. two of the commissioners appointed for distributing the money stipulated to be paid by the United States of America, under the Convention made between his Majesty and the said United States, and to the personal representatives of Henry Pye Rich, esq. another of the said commissioners, for their care, assiduity, and attention in the execution of the trust reposed in them by parliament."

Mr. *Tierney* asked, whether these commissioners had been, since the period of their appointment, as actively and generally employed as other parliamentary commissioners usually were, as if so, they were no doubt entitled each to 1,500*l.* a year.

The *Chancellor of the Exchequer* answered in the affirmative, stating that these commissioners were distinguished for their assiduity and intelligence, and that they had, by their investigations, reduced claims, originally amounting to five millions, to about 1,400,000*l.*

The motion was agreed to.

Helleston Election Bill.] Mr. *Swan*, referring to the rejection of this Bill in the House of Lords, which excited his surprise, as well he believed as that of the majority of those he addressed, gave notice of his intention, at the earliest period of the next session, again to bring forward the same Bill.

Lord *A. Hamilton* said, that as a member of the Helleston Committee, he felt peculiar solicitude upon this subject, and from the scandalous transactions disclosed before that Committee, he was most anxious that if any vacancy should occur in the course of the recess, the House should come to a resolution, or take some proceeding, if consistent with parliamentary usage, to prevent the Speaker from issuing his writ for a new election. Some measure of this nature he really thought necessary, in order to guard the House from the disgrace of any representative who might be again returned by such practices as had taken place at the Helleston election.

Mr. *Tierney* observed, that no such proceeding as the noble lord wished for was at all practicable, the Speaker being bound to proceed as the act of parliament prescribed.

The *Speaker* said, that he should certainly, in such a case, feel himself bound by the statute.

Slave Trade.] Mr. *Wilberforce* rose to make his motion on this subject, for an Address to the Prince Regent, praying for information respecting all communications with the Prince Regent of Portugal, on the steps taken by that government, in pursuance of the treaty of the 19th of February, 1810, concluded at Rio de Janeiro, as to the provisions for taking efficacious measures for the gradual abolition of the Slave Trade. The latter part of his Address was taken from the express words of the Treaty itself; in which the Regent of Portugal declared his conviction of the impolicy and injustice of the Slave Trade. The House had offered advice on such subjects, both in 1806 and 1810, when the sense of parliament was expressed strongly; and he believed government had acted sincerely in consequence—which sincerity was shewn in an article in the late Treaty with Sweden.—If the information he had received was correct, and he had every reason to believe it was so, then it would appear, that notwithstanding the Regent of Portugal's wishes to abolish the slave trade, the Portuguese trade in slaves, had, since we relinquished it, been greatly increased, and under fresh circumstances of aggravation and oppression. The Portuguese had taken the ground which we had abandoned in Africa, and by so doing, had disappointed the fair hopes we had entertained of redressing the wrongs of injured Africa, and checked the means of carrying civilization and improvement to that suffering country. Thwarted as we thus were, it had now become time to institute some enquiry, in order to know what measures the Portuguese government had taken to fulfil the treaty. The Portuguese regulations were formerly humane, and contained many precautions. At that time their trade was chiefly on the south west coast of Africa; but a peculiar aggravation of the case, was their recent extension of it to the north, without the same regulations which they had applied to traffic in the south: the result of which was, that they crowded numbers of unfortunate fellow-creatures into small vessels, forming a most detestable scene of misery. They were stowed together, as it was called, spoonwise, so as to make the decks one area of human flesh. There was no air for days together in that hot climate, and many were of course suffocated, and destroyed by the small-pox, and other infectious and disgusting diseases. These sorrows had actually been extended since the Portuguese engaged to stop them. He hoped the Portuguese Regent would hear of such things with unfeigned concern, from what he had heard of his character. No man, more often than himself, had reflected with pleasure on the long friendship of the two countries. He recollected strong instances of Portuguese fidelity to our alliance, particularly in the seven years war, when Portugal was suddenly threatened by France and Spain with the bombardment of her capital, if she did not renounce her connection with us. The king declared he would prefer that calamity to quitting his connection with England. He trusted the Regent would feel equally alive to his treaty, in which the interests of justice and humanity were concerned. Dearly as he valued this ancient mutual attachment, connected, as he believed it to be, with the true interests of both countries, yet he, for one, could not endure the idea, that while we were supporting Portugal by land and by sea, we should be also supporting a system of cruelty and tyranny, in the face of a positive agreement. Any treaty on any other subject government would feel bound to see enforced. The dreadful evils he adverted to were augmenting daily; and he thought that himself and the House would be chargeable to God and man, if they did not take all proper steps to put an end to them. However justly popular the cause and alliance of Portugal were to this country, yet he must say, that if our attachment to them could not continue, but by the continuation and the increase of such mighty and deplorable evils, all those who were animated by a sense of their duty to God, and to their fellow creatures,—all who regarded the universal rights of nature,—all who felt the common sentiments of humanity,—all who believed in that protection of Providence, which might be forfeited by great acts of national injustice, would rather give it up than pay for it at so cruel a price. But he trusted that we were not yet reduced to so painful a necessity: and that the Portuguese Regent would be induced to correct the evil. In Spain attention had been excited; and a committee appointed to enquire into the circumstances of the slave trade: he hoped they would abolish it. He thought he saw a good omen of this in their abolishing another shameful system,—that of the Inquisition. If the regent of Portugal did not attend to the stipulations of the treaty, the sentiments of friendship for him in this country, would be changed for others of a very different complexion. He concluded by moving the Address.

Mr. *Douglas* supported the Address.

Lord *Castlereagh* said, it was unquestionably advisable to know what steps the Portuguese government had taken. He was perfectly aware of the forbearance of the hon. mover, in not pressing the subject before. There had been no want of exertion on our part, of which the hon. gentleman was convinced. A main objection to the motion was, that at this period of the session, no benefit could be produced by discussion. He therefore wished it to be withdrawn, with a notice for an early consideration of it, next session. Government had met with great difficulties in this business; but were not without all hope, that in the interim between this and next session, some more satisfactory arrangement might be concluded. Indeed, it would be hardly fair to the Portuguese government, to lay all the information before the House, in its present state.

Mr. *W. Smith* would not object to the withdrawing of the motion; but he thought that more than justice had been already done to the Portuguese government, who seemed to wish to creep out of the engagement. The trade of the Brazils and Portugal was entirely protected by our navy, and we had a right to see our treaties duly executed.

Mr. *J. Smyth* thought it right to persist in the motion, as it would give government stronger grounds in their representations to the court of Portugal, which, virtually existing by our protection, was the only European nation concerned in this shameful traffic, except the more limited participation in it by Spain. The little settlement of the Portuguese in the north of Africa had become the general mart and focus of the slave trade, and prevented all amelioration of Africa in that quarter.

Mr. *Grant,* jun. rose to express his sentiments briefly. Unless unceasing vigilance was used on this great question, all the bright hopes, and all the solemn enactments of parliament, would be rendered useless. Efforts had, indeed, been made even here, to evade the abolition of the slave trade; but the wisdom of the legislature had, in a great degree defeated them. He was glad to hear and believe that government were serious and anxious; but it was singular that the only power that encouraged the slave trade was that whose fate was bound up in our greatness, and for whose cause we had exerted unexampled spirit and liberality. Were there no treaty, the knowledge of our views ought to obtain something; but when the treaty was so positive, it was surprising to see the annual introduction of a factitious and foreign people into the Brazils, without gradual prohibition, but on the contrary, rapid accumulation. The House should never retreat from its pledges, but always testify its horror and disgust at this iniquitous traffic. It was shocking after all that had been accomplished, that the system should remain, with all its complicated machinery of crimes and sorrows, to as large an extent as when we pronounced our glorious decision against its existence. How could we justify ourselves from criminality, if we failed to exert our due influence, or connived at the baseness of those who carried on the traffic under the shadow of that naval superiority, by the protection of which alone Portugal traversed the seas? The abolition was not merely intended to absolve the national conscience, and wash out the deep and damned spots of our iniquity; it was intended also to open some better views for oppressed and wronged Africa, and generous attempts had been made to soothe her sorrows. But where was the hope of consummating so noble an object, if 70 or 80,000 wretched Africans were to be annually dragged from their native land, and sent in chains to slavery on a foreign soil? Let that House feel in common with every generous heart in the country. As we had inflicted upon Africa an irreparable injury, let us feel a just anxiety to sink our injustice in oblivion, by deeds of kindness and of humanity; by binding up the wounds which we had given her, and by diffusing over her the various comforts, charities, and blessings of civilized and social life.

Mr. *Wilberforce* thought he should lose nothing practical by yielding to the noble lord's request, as he believed government to be sincere and zealous in the cause. If necessary to renew his motion next session, he trusted it would be agreed to unanimously. He paid very high compliments to gentlemen who had spoken, particularly to the last speaker.

The motion was then withdrawn.

State of the Currency.] Sir *Henry Parnell*, after a few prefatory remarks upon the State of our Currency, to which he thought it peculiarly necessary to call the attention of the House, proposed the following Resolutions:—1. "That it is declared by the indenture between his Majesty and the officers of the Mint, bearing date the 28th Nov. 1771, that the right standard of his Majesty's monies of crown gold is, in regard to the piece which is called a guinea, or 21 shilling piece, that there shall be 44 of these, and one ten shilling and sixpenny piece in the pound weight troy, of the fineness of 22 carats of fine gold, and 2 carats of allay; and that every pound weight troy of monies of gold shall be in value 46*l.* 14*s.* 6*d.* 2. That according to this standard the guinea, or 21 shilling piece contains 5 dwts. 8 grs. of gold. 3. That prior to the restriction of cash payments by the Bank of England in 1797, the paper of that Bank, of the nominal value of 21 shillings, was of the marketable value of 5 dwts. 8 grs. of gold, because it was convertible, on demand, into a guinea. 4. That the value of a pound weight troy of gold coin, or of gold bullion of equal fineness, in Bank of England paper, of which the general currency now consists, has of late been 66*l.* 5. That according to this value of gold, the paper of that Bank of the nominal value of 21 shillings, is of the marketable value of 3 dwts. 19 grs. of gold. 6. That the difference between the value of his Majesty's gold coin, and the value of the paper money of the Bank of England, is equal to the difference between 5 dwts. 8 grs. and 3 dwts. 19 grs. of gold. That is to say, the value of Bank paper money is less than the value of his Majesty's money by 28 per cent. 7. That the House will, early in the next session of parliament, take this circumstance into its most serious consideration, with a view to restore the currency to that value, which is declared by his Majesty's indenture to be the right standard of the money of England."—The first Resolution being read,

The *Chancellor of the Exchequer* said, that he did not conceive it necessary to repeat the arguments upon which the House had, after mature deliberation, come to conclusions which the hon. baronet's Resolutions proposed to overthrow, and therefore he should content himself with moving, "that this House do now adjourn." Which motion was agreed to, and the House accordingly adjourned to the 20th instant.

HOUSE OF LORDS.

Thursday, July 15.

Mr. Palmer's Grant Bill.] On the second reading of this Bill, the earl of Morton observed, that a Bill for granting a compensation to Mr. Palmer had three times come up to that House, and as often been rejected. A fourth Bill had now come up, and he thought it was incumbent upon some of those noble lords who supported this claim, to point out before the Bill passed (if it was to pass) what new merit had been discovered in Mr. Palmer within the last fortnight, to call for the reward which was now proposed to be given to him.—The Bill was read a second time and committed for to-morrow.

East India Company's Charter Bill.] The Earl of *Lauderdale* regretted that none of the ministers were present to give some explanation respecting this Bill, several parts of which passed his comprehension. He had waded through 79 folio pages of the Bill, but could not understand the meaning of several of the clauses. The appropriation clause in particular was so worded as to leave it utterly in doubt what was meant by it. He trusted that noble lords on the other side would be able to give some satisfactory explanation upon these points to-morrow, and also that their lordships in general would endeavour to make themselves masters of the Bill before they came to the second reading, although it certainly appeared to him quite incomprehensible.

HOUSE OF LORDS.

Friday, July 16.

East India Company's Charter Bill.] Earl *Stanhope* stated, that he had a number of Petitions from different parts of the country to present, respecting the diffusion of Christian knowledge in India, from the counties of Wilts, Yorkshire, Lancashire, Wales, and so forth. He observed that the Resolution voted by the House of Commons was in favour of the object of the petitioners, "by all just and prudent means." Such were its words, and the petitioners conveyed their unfeigned approbation of that sentiment. His lordship then presented the petitions: the various titles of which being read, they were ordered to lie on the table.

Earl *Grosvenor* stated, that he also had a variety of petitions to present on the same subject, and expressed his hope, that if the Bill passed it would pass in its present shape, with reference to the subject of these petitions: The noble earl then presented the petitions alluded to, which, in like manner, were ordered to lie on the table.

The Earl of *Lauderdale*, with reference to this subject, trusted that the aid of power would not be called in to attempt to give effect to the propagation of Christianity in India, as that would tend to the utter ruin of our empire in that quarter.

The Earl of *Buckinghamshire* deprecated the resorting to the aid of power with a view to this object, and observed that on the contrary there was a clause inserted for the first time in this Bill making it imperative upon the government of India to secure to the natives the free exercise of their religion.—His lordship, on moving the second reading of the East India Company's charter, thought it unnecessary to enter into any argument upon the subject, the principle of the Bill being strictly in conformity with the principle of the Resolutions already voted by the House. It had been thought expedient to enact regulations, with the view of separating the territorial and commercial accounts of the East India Company, and as a part of this object, it was directed that the advances made from the commercial funds of the Company here on account of the territorial government, should be repaid in India out of the revenue, not out of the surplus, but as a regular charge upon the revenue. Upon the average, however, of the last two years, there would be a surplus equal to the amount of this charge, which was about 1,200,000*l.*

The Earl of *Lauderdale* wished for some explanation as to the clauses respecting the appropriations, and particularly as to the manner in which the re-payment of the sum advanced from the commercial funds was to be classed?

The Earl of *Buckinghamshire* said in the fourth appropriation.

The Earl of *Lauderdale* declined entering at length into the subject at this advanced period of the session, and particularly when he looked around and observed the thin attendance of their lordships. With respect to the proposed separation of the territorial and commercial accounts, it would be easy to make out accounts which would tell different ways, and he regretted that no principle was laid down in the Bill to regulate distinctly the manner in which the accounts were to be stated. The remittances from India to repay, as proposed, the advance from the commercial funds of the Company here, must be made either in goods or bills. Both came nearly to the same point, as the bills bought of the merchant must be given on account of goods which he had exported to this country. Was not this, therefore, a principle that tended to destroy the hopes of the free trader to India, inasmuch as the Company being compelled to make a large import of goods, whether they were wanted or not, those goods must be sold whatever might be the loss upon them, and thus the free trader would not only be precluded from making a profit of his imports, but must frequently sustain a heavy loss. This was rendered the more evident by an account upon the table, as it appeared that the Company must be under the necessity of importing goods to the amount of 6,000,000*l.* He deprecated also the system of drawing from the provinces of India, to which no return was made. It was this exhausting system which impoverished our Indian territories; and it was to this system, rather than to the Bill, that he objected, convinced that it must progressively become worse, and that the Company must be frequently under the necessity of coming to parliament for aid. He had thought it right to make these few observations, but considered it would be useless for him to attend the details of the Bill.

The Earl of *Buckinghamshire* contended, that our Indian provinces, so far from being impoverished, were in a highly improving and prosperous state, and that there was every reason to believe that the effect of the Bill would be to throw into the hands of our own merchants the whole of that trade to India which was now carried on by foreigners. He denied the correctness of the account referred to by the noble earl, contending that the true account was that delivered upon oath to their lordships' committee by Mr. Cartwright, which made the amount of investments required by the Company something more than 4,000,000*l.* a sum considerably less than that mentioned by the noble earl.

The Bill was then read a second time, and committed for Monday.

THE EARL OF LAUDERDALE'S PROTEST AGAINST THE SECOND READING OF THE EAST INDIA COMPANY'S CHARTER BILL.] The Earl of Lauderdale entered the following Protest upon the Journals;

"Dissentient'

"Because I cannot consent to participate in the disgrace this House must incur, by presuming to pronounce, within 48 hours of its introduction, on the propriety of giving a second reading to a Bill, 67 pages in length, which, with a thorough contempt of every thing that could be considered as salutary in the Resolutions the two Houses of Parliament had acceded to, regulates the intercourse with our Eastern possessions, on principles in absurdity unparalleled.

"Because, even the slightest examination of this Bill makes it apparent that its enactments are no less repugnant to the political welfare of our Indian possessions, than subversive of those commercial principles, on which the Company's trade can alone be conducted with any prospect of success:—whilst they must render it utterly impossible for the merchants of this country, with prudence, to engage in that free trade which government have professed by this measure to impart.

"For, by enacting, 'That a sum equal 'to the actual payment that has been 'made from the funds at home, on ac'count of the territorial charges in the 'preceding year, shall, in each and every 'year, be issued in India, for the purpose 'of the Company's China and India invest'ments, or of remittance to England'—this Bill, in truth, sanctions the utter ruin of our territorial possessions, by providing that they shall be annually robbed of millions without return, whilst, by fixing the value to be yearly remitted from that country, without regard to the extent of European demand for its produce, it departs from every true principle of trade, and prescribes a rule which must be ruinous to the commercial interests of the Company—to those of the merchant who is foolish and ignorant enough to participate in such a trade—and even to the welfare of our manufacturers of British muslin, and of all home-made articles that naturally enter into competition with the commodities of the East.

"Because the despoliation of our territorial possessions in India—the destruction of the commerce of the Company, as well as of the profits of the free trader, and the injury our manufacturers must sustain—are not the only evils with which this Bill threatens the country.

"For it discloses to the public the melancholy information, that, instead of having any hope of now receiving from India that long-boasted financial aid, the Bill of 1793 taught them to expect, government anticipates the certainty of the people of this country being taxed, and of our resources being farther exhausted, to suspend the ruinous crisis, our erroneous policy in the management of our Indian possessions must ultimately occasion;—as it enacts, that the residue of the Bills drawn in England, shall, in the event of the Company's not possessing sufficient funds, be discharged in such manner as parliament shall from time to time provide.

(Signed) "LAUDERDALE."

ITINERANT AUCTIONEERS' BILL.] On the question for the second reading of this Bill,

The Earl of *Lauderdale*, pursuant to notice, opposed the measure. He remarked, that the Bill rejected by the other House, contained some salutary clauses, for the object of preventing those numerous frauds and injurious results to the fair trader, which arose from the practice of mock auctions, and of itinerant auctioneers, not only throughout the country, but in the metropolis itself; provisions of that kind, he in vain sought for in the present Bill. And having expatiated on the injurious tendency of such practices, the suppression of which, he thought, the Bill by no means went to effectuate, he said he should therefore move, that it be read a third time that day three months; which, on the question being put, was ordered accordingly.

MR. PALMER'S GRANT BILL.] On the question for going into a committee on this Bill,

The Earl of *Morton* adverted to the repeated rejection by that House of a Bill for granting a compensation to Mr. Palmer, and observed, that he could not discover any merit in Mr. Palmer's invention, which entitled him to the reward proposed to be given to him. At all events, he trusted that some noble lord who supported this Bill, would state to the House what new merit had been discovered in Mr. Palmer, to entitle him to 50,000*l.* when only ten or fourteen days had elapsed since a Bill for granting him a compensation had been rejected.

The Earl of *Liverpool* observed, that the former Bills had been founded on a claim of right, and proposed to give Mr. Palmer an enormous sum. It was on these grounds, that he had objected to them. The present Bill, however, gave up the claim of right, founding itself in a demand upon the generosity of the House to reward an invention, which he conceived, had been highly advantageous to the public, whilst at the same time the sum proposed to be given was much less than that before claimed. Upon these grounds, and as the House of Commons had desisted from sending up the proposition which their lordships had repeatedly rejected, he recommended the adoption of the present Bill.

The Bill passed through a committee, and was reported.

HOUSE OF LORDS.

Tuesday, July 20.

DOCTRINE OF THE TRINITY BILL.] On the third reading of this Bill, the archbishop of Canterbury, and the bishop of Chester, each said a few words, not with the least intention of opposing the Bill, but contending that it had not been called for by any attempt to inflict penalties upon, or impede the worship of Unitarians, to whom liberty of conscience, in their peculiar interpretation of the Scriptures, was extended as amply as to other dissenters, in that tolerant spirit which characterized the church of England. The Bill was then read a third time and passed.

HOUSE OF LORDS.

Thursday, July 22.

The House met at half past one o'clock, the doors having been some time previously opened for the admission of ladies and gentlemen having peers' orders. The greater part of the peers' seats were occupied by ladies elegantly dressed, and the space below the bar was much crowded. On the entrance of the Lord Chancellor prayers were read by the bishop of Chester. Counsel were called in on two Writs of Error. Soon afterwards the dukes of York, Clarence, Sussex, and Cambridge entered the House in their robes. The other peers present were also in their robes. Several of the judges, amongst whom were Lord Chief Baron Macdonald, Mr. Justice Bayley, Mr. Justice Gibbs, Mr. Justice Dampier, &c. also attended. At twenty minutes past two a royal salute of artillery announced the arrival of his royal highness the Prince Regent. Soon afterwards his Royal Highness entered the House in procession, the earl of Liverpool carrying the Sword of State, earl Bathurst the Cap of Maintenance, and the earl of Yarmouth the Prince Regent's Coronet as Prince of Wales, attended also by lord Gwydir, as Deputy Great Chamberlain of England: the earl of Cholmondeley, Lord Steward; the marquis of Winchester, Groom of the Stole; the Kings at Arms, Heralds, Macebearers, &c. His Royal Highness having taken his seat upon the throne, the Royal Dukes being seated in their chairs to the left of the throne, the earl of Liverpool standing close upon the left of his Royal Highness, and the marquis of Winchester on the right, the other lords who formed part of the procession standing on each side, and the Lord Chancellor behind to the right, sir Thomas Tyrwhitt, the Gentleman Usher of the Black Rod, was sent to command the attendance of the Commons. Shortly afterwards the Speaker, in his full dress robes, accompanied by a great number of members, appeared at the bar.

THE SPEECH OF THE SPEAKER OF THE HOUSE OF COMMONS AT THE BAR OF THE HOUSE OF LORDS.] The *Speaker*, who held in his hand the Vote of Credit Bill, then addressed his royal highness the Prince Regent as follows:

"May it please your Royal Highness;

"We, his Majesty's most dutiful and loyal subjects, the Commons of Great Britain and Ireland, in Parliament assembled, have closed the supplies for the service of the present year: and, reflecting upon the various transactions which have come before us, we look back with satisfaction upon those which concern our domestic policy; entertaining also a confident hope in the prosperous issue of those great events which must regulate the settlement of our foreign relations.

"Under the pressure of great burdens at home, and the still continuing necessity for great exertions, a plan has been devised and executed, which, by a judicious and skilful arrangement of our finances, will, for a considerable period, postpone or greatly mitigate the demands for new taxation, and, at the same time, materially accelerate the final extinction of the National Debt.

"Our reviving Commerce also looks forward to those new fields of enterprise which are opening in the East; and, after long and laborious discussions, we presume to hope, that (in conformity with the injunctions delivered to us by your Royal Highness at the commencement of the present Session) such prudent and adequate arrangements have been made for the future government of the British possessions in India, as will combine the greatest advantages of Commerce and Revenue, and provide also for the lasting prosperity and happiness of that vast and populous portion of the British Empire.

"But, Sir, these are not the only subjects to which our attention has been called: other momentous changes have been proposed for our consideration. Adhering, however, to those laws by which the Throne, the Parliament, and the Government of this Country, are made fundamentally Protestant, we have not consented to allow, that those who acknowledge a foreign jurisdiction, should be authorized to administer the powers and jurisdictions of this realm;—willing as we are, nevertheless, and willing as, I trust, we ever shall be, to allow the largest scope to Religious Toleration. With respect to the Established Church, following the munificent example of the last Parliament, we have continued the same annual grant for improving the value of its smaller Benefices; and we have, at the same time, endeavoured to provide more effectually for the general discharge of those sacred duties of a Church Establishment, which by forming the moral and religious character of a brave and intelligent people, have, under the blessing of God, laid the deep foundations of British greatness.

"Sir,—by your Royal Highness's commands, we have also turned our views to the state of our Foreign Relations. In the North, we rejoice to see, by the Treaties laid before us, that a strong barrier is erected against the inordinate ambition of France; and we presume to hope, that the time may now be arriving, which shall set bounds to her remorseless spirit of conquest.

"In our contest with America, it must always be remembered, that we have not been the aggressors. Slow to take up arms against those who should have been naturally our friends by the original ties of kindred, a common language, and (as might have been hoped) by a joint zeal in the cause of national liberty, we must, nevertheless, put forth our whole strength, and maintain, with our antient superiority upon the Ocean, those Maritime Rights which we have resolved never to surrender.

" But, Sir, whatever doubts may cloud the rest of our views and hopes, it is to the Peninsula that we look with sentiments of unquestionable delight and triumph; there, the world has seen two gallant and independent nations rescued from the mortal grasp of fraud and tyranny, by British councils and British valour; and within the space of five short years from the dawn of our successes at Roleia and Vimiera, the same illustrious Commander has received the tribute of our admiration and gratitude for the brilliant passage of the Douro,—the hard-fought Battle of Talavera,—the day of Busaço,—the deliverance of Portugal,—the Mural Crowns won at Ciudad Rodrigo and Badajoz,—the splendid Victory of Salamanca,—and the decisive overthrow of the Armies of France in their total rout at Vittoria;—deeds which have made all Europe ring with his renown, and have covered the British name with a blaze of unrivalled glory.

" Sir,—That the cause of this country, and of the world, may not, at such a crisis, suffer from any want of zeal on our part to strengthen the hands of his Majesty's Government, we have finished our supplies with a large and liberal aid, to enable your Royal Highness to take all such measures, as the emergencies of public affairs may require, for disappointing or defeating the enterprizes and designs of the enemy.

" The Bill, which I have to present to your Royal Highness for this purpose, is intituled, 'An Act for enabling his Majesty to raise the sum of Five Millions for the service of Great Britain, and for applying the sum of 200,000*l.* for the service of Ireland:'—

" To which Bill his Majesty's faithful Commons, with all humility, entreat his Majesty's Royal Assent."

THE PRINCE REGENT'S SPEECH AT THE CLOSE OF THE SESSION.] The royal assent was then given to several public and private Bills, after which his royal highness the Prince Regent closed the Session with the following Speech to both Houses:

" My Lords and Gentlemen;

" I cannot release you from your attendance in parliament without repeating the expression of my deep regret at the continuance of his Majesty's lamented indisposition.

" The attention which you have paid to the public interests in the course of this session, demands my warmest acknowledgments.

" The splendid and signal success which has attended the commencement of the campaign in the Peninsula, the consummate skill and ability displayed by Field Marshal the Marquis of Wellington in the progress of those operations which have led to the great and decisive victory obtained near Vittoria, and the valour and intrepidity by which his Majesty's forces, and those of his allies, have been distinguished, are as highly gratifying to my feelings as they have been to those of the whole nation. Whilst these operations have added new lustre to the British arms, they afford the best prospect of the deliverance of the Peninsula from the tyranny and oppression of France; and they furnish the most decisive proof of the wisdom of that policy which has induced you, under every vicissitude of fortune, to persevere in the support of this glorious contest.

" The entire failure of the French Ruler in his designs against the Russian empire, and the destruction of the French army employed on that service, were followed by the advance of the Russian forces, since joined by those of Prussia, to the banks of the Elbe; and though, upon the renewal of the contest, the allied armies have found themselves obliged to retreat before the superior numbers collected by the enemy, their conduct, during a series of severe and sanguinary conflicts, has nobly upheld their military character, and commanded the admiration of Europe.

" I have great satisfaction in acquainting you there exists between me and the courts of St. Petersburgh, Berlin, and Stockholm, the most cordial union and concert; and I trust I shall be enabled, by the aids which you have so liberally afforded, to render this union effectual for the accomplishment of the great purpose for which it has been established.

"I regret the continuance of the war with the United States of America.

"My desire to re-establish between the two countries those friendly relations, so important to their mutual interests, continues unabated; but I cannot consent to purchase the restoration of peace by any sacrifice of the maritime rights of the British empire.

"Gentlemen of the House of Commons;

"I thank you for the liberal provision you have made for the services of the present year.

"It is a great satisfaction to me to reflect that, by the regulations you have adopted for the redemption of the national debt, you have established a system which will not retard its ultimate liquidation, whilst at the same time it provides for the vigorous prosecution of the war with the least practicable addition to the public burdens.

"My Lords, and Gentlemen;

"I entirely approve of the arrangements which you have made for the government of the British territories in India, and for the regulation of the British commerce in that part of the world. They appear to have been wisely framed, with a view to the circumstances which have occurred since this subject was last under the consideration of parliament. By these arrangements you have preserved, in its essential parts, that system of government which experience has proved to be not less calculated to provide for the happiness of the inhabitants of India, than to promote the interests of Great Britain; and you have judiciously extended to the subjects of the United Kingdom in general a participation in the commerce of countries within the limits of the East India Company's Charter, which will, I doubt not, have the effect of augmenting the resources of India, and of increasing and improving the trade and navigation of his Majesty's dominions.

"The tried and affectionate loyalty of his Majesty's people, the constancy which they have displayed during this long and arduous war, and the patience with which they have sustained the burdens necessarily imposed upon them, have made an indelible impression on my mind. Such continued and persevering exertions, under so severe a pressure, afford the strongest proof of their attachment to that constitution which it is the first object of my life to maintain.

"In the success which has recently attended his Majesty's arms, I acknowledge, with devout gratitude, the hand of Divine Providence. The use I desire to make of these, and of all other advantages, is to promote and secure the welfare of his Majesty's people; and I cannot more decidedly evince this disposition, than by employing the powerful means you have placed in my hands in such a manner as may be best calculated to reduce the extravagant pretensions of the enemy, and thereby to facilitate the attainment, in conjunction with my allies, of a secure and honourable peace."

And afterwards the Lord Chancellor, by his royal highness the Prince Regent's command, said;

"My Lords, and Gentlemen;

"It is the command of his royal highness the Prince Regent, acting in the name and on behalf of his Majesty, that this Parliament be prorogued to Monday the 23d of August next, to be then here holden; and this Parliament is accordingly prorogued to Monday the 23d day of August next."

ADDITIONS AND CORRECTIONS.

The following Speeches of Mr. Charles Grant, sen. on the Affairs of the East India Company, having, in the Reports of their dates, been given imperfectly, a fuller account of them is here introduced.

March 22, 1813. *See Vol. XXV. p.* 255.

Mr. *C. Grant*, sen. delivered his sentiments to the following effect:

He felt great satisfaction that in the luminous and comprehensive view which the noble lord had given to the important and complex subject they were now about to consider, he had done so much justice to the administration and the servants of the Company abroad. He well knew from the official intercourse it was formerly his lot to hold with the noble lord, his lordship's very extensive and accurate acquaintance with the affairs of India, and the ability with which he conducted the department entrusted with the controul of them. His suffrage, therefore, in favour of the existing system and of the functionaries employed in it, not even excluding those who acted in this country, was of great value, and might be set against many of the errors and misconceptions on Indian subjects, which spring from want of information, and from prejudice. He was glad also to find, that it was the professed intention of his Majesty's ministers to continue by the provisions of a new charter, the system of the Company, and the powers requisite for its efficiency. But he heard with alarm and regret of innovations which were projected in that system; innovations so great, and involving such consequences, that they threatened to break down and to destroy it.

It was proposed at once to change the mode in which the intercourse between this country and India had been carried on for two centuries, that is, since the commencement of the Company, and to throw open the trade to all the ports and subjects of the United Kingdom. The Company had in papers which were before the House, deprecated this great change as likely to prove ruinous to their commerce, by raising the prices of commodities abroad, lowering them at home, and marring the system of their public sales, and introducing extensive smuggling, and likely also to endanger the security of their Indian possessions, by the influx of numbers of Europeans. The wildest notions had been spread of a new world of commerce to be discovered and occupied by the extinction of the Company's Indian monopoly. The most extravagant expectations were entertained, the loudest clamours excited, the most unfounded accusations advanced against the Company, and at length government, contrary to its original intention, had been prevailed on to consent that the Indian trade should be opened. The reasons now assigned to the House for this great change were, that the commerce of this country and of India should be enlarged—that the Company could not, for want of means, manage the whole of the Indian commerce, being obliged to borrow money for it at Indian interest; that the private trade at present permitted was hampered, by being confined to the ships of the Company, as well as the occasion of loss to the Company themselves in the freight they supplied for it; yet that notwithstanding the restraints it lay under, it had greatly increased—and that the Americans had been allowed to go largely into that trade from which our own subjects were so much excluded. The question here, however, was not so much what the East was capable of producing in the way of trade, but whether the exports of this country to India, or the imports of that country into this, could be materially increased if the trade were thrown open? The Company had adduced many arguments to shew that they could not, and those arguments had never been answered. The tastes, the usages, the modes of life, the climate of the Indian people, were altogether dissimilar to ours. They could use but few of our articles either of luxury or convenience, and their demands for these were already abundantly supplied. The increase that had taken place in the exports of private trade was only for the increased European population in India—the increase in the imports therein was chiefly in indigo, an article fostered by the Company, and in cotton piece goods. For both the exports and the imports, the present channel of conveyance was abundantly sufficient. Yet if it were not, the Company did not propose it should be confined to its actual limits. They were content that the port of London should be open to all the subjects of the United Kingdom for exports and imports, and in their own ships, without adhering to the present arrangement, the inconveniencies of which had been industriously aggravated by those concerned in the Indian trade, with a view to its further enlargement, as the loss of the Company by the freight of private trade had also been. And the notion of the Company's carrying on their trade by the aid of capital borrowed in India at the high interest of that country, was contradicted by the elaborate statements of accounts made out by the Select Committee of the House. The Company also could with facility extend their Indian trade, if circumstances invited them to do so. The idea of making their Indian commerce liable to the payment of half the dividend on their capital stock was untenable. Did any merchant expect that all parts of his trade were to be equally profitable? The different parts might nevertheless be mutually aiding and serviceable in his plan of trade. The Company had undoubtedly strong political reasons for desiring to be continued in so much of the exclusive privilege of that trade as they at present possessed.

With regard to the participation of the Americans in that trade, it was a privilege conceded to them by the government of this country without consulting the Company. And the great benefit they derived from it was owing to their abuse of the treaty which conceded it, and to their neutral character during a long war, which gave them access to countries not open to our ships. But if this was an evil, the remedy was easy—not to deprive the Company of their remaining privileges in that trade, but to exclude the Americans from it, the treaty which admitted them into it being now at an end.

The Company had very justly argued, that the transfer which had taken place to this country of the Indian debt, would require them to increase their commerce from India in order to meet that new demand on the home treasury; and that the entrance into the trade at the same time of so many new adventurers would in all probability occasion the market to be over-stocked, and their goods, intended to meet the payment of the territorial debt, to be unsaleable. The noble lord had replied to this, that the Company might, like all other governments, remit their revenues by the bills of private individuals. The noble lord, by such a suggestion, proposed to divest the Company so far of their commercial character, which was part of their constitution; he proposed that the Company's money should be given to these new adventurers to serve them as a capital in their enterprizes, and that the Company, instead of having their own consignments of goods to look to, should depend on the credit and punctuality of such persons for the regular payments of the bills to be drawn on them for the Indian debt, payments on the accurate discharge of which the general credit of the Company depended. Nothing could be more unfair nor more odious to the Company than to place them in such a degraded and dependant situation. A doctrine had now for the first time been broached respecting the Indian patronage. It appeared to be thought that it might be taken from the Company and yet not fall to the crown. As no such measure was actually proposed, it was the less necessary to examine the theory on which it was suggested, but all those who were anxious for the safety of the British constitution would do well to beware of altering the present safe system upon any speculation so little promising. The noble lord had treated the apprehension of colonization by Europeans in India as a chimera, arguing that it was not the want of opportunity but the want of means of subsistence there, which prevented Europeans from resorting thither now, and that the country is open to the Americans who might have colonized there if they would. But it is a certain fact that the greater resort of British subjects to India has been prevented only by the existing restraints,—that they sometimes over-leap those restraints is a proof of the existence of the desire of resorting thither. The Americans have no permission to go into the interior of the country. Our government would, of course, prevent them from infringing the existing regulations. The new privileges now proposed to be granted to British subjects, would constitute the great source of danger, which is much more from our own subjects than from foreigners. However the noble lord might slight the apprehended danger of colonization, lord Cornwallis had judged far otherwise, and the generality of persons who had local experience did so. The scheme now brought forward went to throw down the whole fabric of the India Company. It was impossible therefore it could have his approbation. A subject of such immense importance should not be hurried through the House, but investigated with great deliberation, and he was desirous that evidence should be heard at the bar of the House on certain points, particularly the danger which might result from a large influx of Europeans into India, and the probability of increasing the export of British manufactures for Indian consumption.

June 3, 1813. *See p.* 550 *of the present Volume.*

Mr. *C. Grant*, sen. began by denying that it was the original intention of ministers to open the trade generally to the outports, as the hon. gentleman (Mr. Courteney) had stated. The letter of lord Melville in 1808, which the hon. gentleman had read, expressed no such intention, and he could assert from his own personal conference at that time with the noble lord, that his lordship had then no other idea than that the import trade from India should be confined to the port of London. And this most distinctly appears in his Answer to the 6th of the Hints or Propositions submitted to his lordship by the directors in March 1812, wherein they require that the whole of the Indian trade shall be brought to the port of London, to which he replies "that the adoption of this regulation will probably tend to the security and advantages of the public revenue," thereby evidently acquiescing in the proposition, and evincing that he thought the interest of government was concerned in it. The Company certainly never had any other view of this subject; nor were they aware of the change respecting it in the sentiments of his Majesty's ministers until it was announced by lord Buckinghamshire in the month of April last. However preposterous therefore the confining of the private trade to the port of London might seem to the hon. gentleman, it was not at first thought to be so by his Majesty's ministers, nor had the reasons for that restriction been ever yet solidly answered. That the change was the effect of the clamours so industriously raised by the outports, their agents and abettors, there could be no doubt. In the numerous Petitions which they had presented to parliament,—in their meetings and resolutions communicated by various channels to the public, the Company had been grossly misrepresented, and an ignorance shewn of their affairs truly wonderful. All the accusations of those parties had been refuted by the Company, but by dint of association, perseverance and canvas, they had gained much of public prejudice and parliamentary support in favour of their objects. The principle on which individuals were admitted into the trade of India in 1793 was that of affording a greater vent for the manufactures of this country, and the means of remitting hither the fortunes of British residents in India, but all was to be transacted through the medium of the Company's ships. The late lord Melville had no idea of such an opening of the trade as was now proposed, and the hon. gentleman was mistaken in supposing his lordship to have been a party to the negociation in 1802 for the further enlargement of the private trade—a measure also produced by clamour and misrepresentation when his lordship was retired from office. The plea drawn by the outports from the trade carried on to India by neutrals had been repeatedly answered. That trade had grown up whilst we were in a state of war, shut out from most of the ports of foreign Europe, where therefore British merchants, had they been permitted to trade to India, could have had no access.

A trade to continental Europe Great Britain could not have when at war with it; on the return of peace those who had carried it on as neutrals would lose the greater part of it. At present, since the war with the North American states, it is greatly reduced. That the exports from India to this country were augmented in some years by the further liberty given by lord Wellesley was true, but the question was, whether they had been profitable or were likely to have continued if the permission had been permanent? He believed not. The great object of the parties who pushed for those enlargements was the introduction of Indian ships into the trade between India and Europe. The hon. gentleman had argued that since the period of those enlargements, the export of British manufactures to the East had greatly increased. It had been over and over stated, and was capable of the clearest proof from the registers of the goods exported to that quarter since 1793, that there had been in the course of nearly 20 years no new article sent for the use of the natives of the East, and that the increase in the exports of British commodities (not all the manufactures of this country, a large part being wines) to India was occasioned by the increase in the number of Europeans there. Of the dangers to be apprehended from a great influx of Europeans into India, all the witnesses had given an unanimous testimony; and those respectable gentlemen, colonel Munro and Mr. Cockburn, whose opinions by the way were drawn from what they had seen in the peninsula, where the resort of Europeans was much less than in Bengal, in the concessions which their evidence contained respecting trade still required the most efficient safeguards to be provided for securing the tranquillity of the country. The hon. gentleman seemed to have adopted the sentiment of another hon. member who had spoken on a former evening (Mr. Rickards), that it was the poverty of the Hindoos which prevented them from buying European goods. It was certain they were a people who generally had not exchanges to give for European luxuries, and how a vast population of agriculturists, as the greatest part of them must continue, could be brought into such a state of affluence, it was not easy to shew; but among them there were now men of opulence, and they had the commodities of Europe within their reach; did they affect those commodities, did they in general lay out any part of their wealth in the purchase of them? A taste for things foreign to their climate, their manners and habits, must be acquired by them, before they could become great consumers of our manufactures, and if they had the taste, might not their own artists, taught by Europeans, supply them, at home?

With respect to the statements which the hon. member to whom he had alluded (Mr. Rickards), had a few nights before submitted to the House, he had since looked into some points on which he could not on an occasion so unexpected be prepared to speak, and he would, with the indulgence of the Committee, make a few observations on them. First, as to the effects of the permanent settlement of the lands in India. The hon. gentleman who had, in opposition to all the eminent men who had served in India for the last five-and-twenty years, and to the leading authorities in this country, condemned that system as injudicious and oppressive, endeavoured to derive countenance to the singularity of his opinions from the Fifth Report of a Select Committee of the House, when the main tenor and the general conclusion of that Report, which treated at large of the permanent settlement, was expressly in favour of the British administration in India, of which that settlement and the judicial administration instituted at the same time as congenial to it, formed the grandest features. In proof of this Mr. Grant said he had only to read to the Committee the concluding marks of that Report, first with respect to the extensive possessions immediately under the presidency of Bengal—concerning which the opinion of the Committee is delivered in the following words:

"Although the view given, in the foregoing part of this Report, may show, that certain imperfections are still found in the system of internal government in the Bengal provinces; yet it can, in the opinion of your Committee, admit of no question, whether the dominion exercised by the East India Company has, on the whole, been beneficial to the natives. If such a question were proposed, your Committee must decidedly answer it in the affirmative. The strength of the government of British India, directed as it has been, has had the effect of securing its subjects, as well from foreign depredation, as from internal commotion. This is an advantage rarely experienced by the subjects of Asiatic states; and, combined with a domestic administration more just in its principles, and exercised with far greater integrity and ability, than the native one that preceded it, may sufficiently account for the improvements that have taken place; and which, in the Bengal provinces where peace has been enjoyed for a period of time, perhaps hardly paralleled in oriental history, have manifested themselves in the ameliorated condition of the great mass of the population: although certain classes may have been depressed, by the indispensable policy of a foreign government. The nature and circumstances of our situation, prescribe narrow limits to the prospects of the natives, in the political and military branches of the public service: strictly speaking, however, they were foreigners who enjoyed the great offices in those departments, even under the Mogul government;—but to agriculture and commerce every encouragement is afforded, under a system of laws, the prominent object of which is, to protect the weak from oppression, and to secure to every individual the fruits of his industry.

"The country, as may be expected, has, under these circumstances, exhibited in every part of it, improvement on a general view, advancing with accelerated progress in latter times."

In regard to the territories under the presidency of Fort St. George, the Committee observe that in those provinces which had been longest subject to the Company's dominion, particularly the northern circars, the benefits had been similar to those experienced in Bengal; in others which had come more recently into the Company's possession and were not so well accustomed to our government, or settled down from the perturbed state in which they had before been, to a composed and tranquil condition, the progress of the settlement had met with more difficulties, and as the increased knowledge acquired by the servants employed in the internal administration of the peninsula had afforded more insight into the Hindoo system of revenue which had preceded that of the Mahomedans, the Committee came to entertain an opinion that in order to take advantage of the lights thus obtained, it would be expedient to re-consider in its principles the mode hitherto followed in settling the land revenues, with a view to the introduction of some new modifications and improvements into the system, in the provinces to which it had not yet been applied. But on the whole the Committee close their Report on this branch of their subject in the following terms:*

"One circumstance appears to have peculiarly contributed to make the situation of the great body of the natives, under the government of Fort St. George, infinitely superior to what it was under their Mahomedan rulers, and by which all the other advantages extended to them, are, as it were, confirmed and secured; that is, the vigour, the efficiency, and, if the expression may be allowed, the unity of its authority, which neither acknowledges nor permits divided sovereignty, but which keeps every other power in subordination to its own. The beneficial operation of this state of things, has been greatly felt in Bengal; but, it is believed much more on the coast, arising from the greater degree in which a turbulent and warlike spirit pervaded the zemindars, the poligars, and other chiefs. As long as they were allowed to maintain their military retainers and establishments, they not only bade defiance to the government, but were constantly carrying on petty wars, one against the other; by which, the fields of the ryot were overrun and laid waste, his crops destroyed, and whatever other property he possessed, became a sacrifice to the predatory bands of contending parties. Even the potail of a village, in many parts of the country, had his small military retinue; and among this description of persons, the same scenes of intestine disturbance were exhibited, though on an inferior scale. At present, there exists not, unless it be in the hills of the Northern circars, and in some few other places, any military force kept up by individuals. The unruly and restless spirit of the poligar, is gradually giving way to the peaceable habits of the landholder; and the ryot is enabled to pursue the cultivation of his fields, without danger or apprehension. It is not meant by your Committee to assert, that the evils which are here alluded to, are not occasionally still experienced, but they are now only occasional, where they were continual, and when they have unhappily occurred, they have been vigorously and promptly suppressed, and have led to those further measures of effectual precaution, which a powerful government has alone the means of employing, and which it is its duty to employ, when necessary, for the protection of those committed to its care."

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* In that part of the Speech of Mr. C. Grant, sen. of the 28th June, (see p. 936) which applies to the sentiments of Mr. Rickards, there are inserted by mistake certain quotations from the 5th Report and from other papers, which with some observations upon them, were submitted by Mr. Grant to the House on the 3d of June, but in the hurry of arranging several months afterwards, the materials of these speeches, which both treat of the opinions of Mr. Rickards, those quotations and observations were inadvertently assigned to the wrong date, which the reader is entreated to pardon.

The hon. gentleman has attempted to derive support to his representation of the effects of the permanent settlement, from the returns made by the collectors to the interrogatories on that subject circulated to them generally in the year 1801-2 under the government of lord Wellesley, but in quoting from one or two of them some passages which seem to make for his purpose, he has left out of view the opinions of the great body of the collectors, which are now before the House, and clearly in favor of the new system of land tenures.

The hon. gentleman has been unfortunate in selecting the case of the district of Barahmaul in support of his argument, for col. Munro has stated in his evidence before the Committee, "that considerable increase of cultivation has been made in many of the districts permanently settled, and particularly I believe that of Barahmaul is in a higher state of cultivation now since the introduction of the permanent settlement."

And indeed the whole of col. Munro's evidence contained in the examination of the 14th of April before the Committee of this House is very appropriate to this part of the discussion.

Mr. Sydenham also, another of that eminently intelligent body of witnesses who have thrown so much light upon the state of India, has said—"with regard to the Company's government, I believe that the following observation is strictly true, that the worst form of the Company's government is considerably better than the best form of any Asiatic government which has been established in India. The situation of the inhabitants under the Company's government always appeared to me to be extremely prosperous when compared with that of the natives in similar situations under any of the native governments; and I am disposed to believe, that even when compared with the situation of similar classes in any part of Europe, their situation may still be considered as prosperous; I would even venture to extend this comparison to England itself as far as my observation reaches."

The country of Nepaul might be quoted in support of this opinion. That country had never been under the government of foreigners. It was and had from a very remote age been purely a Hindoo sovereignty, where the Hindoo institutions still subsisted in all their force—but it was a country where the government was severe and oppressive—where there was little of public principle or a pure administration of justice. The country, therefore, was not flourishing, nor the people happy.

The account of Mr. Sydenham is corroborated by the facility with which the revenues of the Bengal territories are collected. He was warranted in stating that three months after the close of the official year, the arrears of the land revenue of that year outstanding do not amount to one half per cent. on the jumma or rent-roll. And with respect to another very important article, the sale of lands in order to make good the payment of the stipulated rent, it was an ascertained fact, that the land annually advertised for sale in order to secure this object, did not now comprize a jumma or assessment of one lack of rupees. The land also so disposed of, generally brings from four to five lacks of rupees, which would be about 45 years purchase of the zemindar's share of the rent, supposing it to be only one tenth.—In Canara, land sells at from 15 to 20 years purchase.

The hon. gentleman has claimed lord Teignmouth as an opponent of the permanent settlement, but without ground or authority. That excellent person did not controvert the principle of giving the lands at a fixed perpetual rent. The point on which he differed with lord Cornwallis was, whether that system should commence immediately, or be preceded by the experiment of a ten years lease, with the intention of employing the further knowledge to be acquired in that time in forming a final settlement. The records contain the able arguments adduced on both sides of this great question, which were managed with a candour and a deep dispassionate consideration becoming the difficulty and importance of the subject, and the character of the distinguished parties concerned. The decision was in favour of lord Cornwallis's opinion, but lord Teignmouth afterwards, as governor general, did himself cordially co-operate to give efficacy and progress to the system which had been adopted.

The hon. gentleman is not more fortunate in citing the authority of Mr. Colebrooke as countenancing his notions; for that respectable gentleman, when a member of the supreme council, did on the 20th June 1808 record a minute in reply to the objections urged by the commissioners in the upper provinces, to the extension of the permanent settlement into those provinces, and urging its immediate adoption.

With respect to the division of the gross produce of the soil between the state and the actual cultivator, it was not in fact accurate to say that the government took 50 per cent. of that produce. The rate varied from a half to a third and even a lower rate, according to the quality of the soil—it being obvious that the cultivator of a rich farm can afford to pay a larger proportion of the gross produce than the cultivator of a poor farm. And in most cases before the division takes place, a deduction is made from the gross produce for the support of village officers, and sometimes for allowance to brahmins.

When with these facts it is considered that land is the grand source of revenue in India, (as indeed it is in all Asia,)—the only material subject of taxation, it need no longer excite surprise that the exigencies of government require a pretty large participation of its produce. Compared with the land tax in England to be sure the Indian rate appears very high, but here the land furnishes only a small proportion of the public income; innumerable other taxes quite unknown in India, and others known there only in a slighter degree, fall upon the subjects of this country; so that according to professor Hamilton, a late and able writer on our public debt, the taxes direct and indirect paid to the state here, absorb one half of the income of the nation. The Indian government did not tax people beyond its necessary expenses —it had imposed no new tax upon them of any consequence, to defray all the wars in which it had been engaged for the last twenty years.

It was also still to be remembered, that, when the question is, as here, concerning the quantum of subsistence which is left to the cultivator, after government has taken its share of the produce, it is a question of the same kind as he had recently spoken to in relation to the share of the zemindar. Both the one and the other from the production of at least a double crop in the year, receive as much in one year as they would on the same principles receive in two in a country which yielded but one crop annually. Hence it might be again observed that the condition of the zemindar or landholder under the new system was by no means of that reduced, debased kind, which the hon. gentleman's description would imply, for he received what, in fact, would be equivalent to 20 per cent. of the government share of one crop annually, and this was not the only advantage he derived from his situation.

All these circumstances, without adducing others, were sufficient to disprove the hon. gentleman's representations of the state of the people in the territories where the permanent settlement was established and had been longest in operation. He himself had admitted that the produce of the country was increased, yet he considers the reduction of prices which was the natural consequence of this, as a matter of complaint. And the increase of population which also naturally resulted from augmented subsistence, he seemed to regard as a source of misery, denominating the people a nation of beggars in the moment that acknowledging their increase of numbers, he also acknowledges their means of subsistence to be augmented, and the cost of that subsistence to be reduced, —all which circumstances are usually reckoned symptoms of improvement; and how does the hon. gentleman's contrary deduction comport with the received doctrine of Mr. Malthus on population, and with what is experienced among ourselves? The hon. gentleman, to illustrate the wretched state in which he affirmed the Indians to be, described them as living upon rice, and having no cloathing except a slight covering of cotton cloth—but such had been the condition of the bulk of the people in all ages.—A vegetable diet was agreeable to their religion and the habits resulting from their climate, which also indisposed them to much clothing—their usages in these respects therefore were no proofs of poverty, for those usages were not confined to the lowest classes of society. Great simplicity and frugality in food, clothing, dwellings and furniture, were generally to be seen among persons known to be in affluent circumstances. Nor was it just to describe them as applying to agriculture from necessity for want of other employment. The Hindoos were attached to the soil, and in the happiest times of their native governments had always been an agricultural people. On the contrary they never had been what the hon. gentleman wished to make them now, a great commercial people. All his arguments and representations were formed to bear upon the present question of opening the trade; for this the institutions of the British government were decried, and the beneficial effects produced by them controverted; whilst to his own scheme of rendering that people commercial, he sanguinely attributed a facility in the execution far beyond what could rationally be expected, saying nothing at the same time as to the dangers to be apprehended from a great influx of Europeans into India; and he feigned to himself such success from that scheme, such changes in the tastes, manners, character and state of the Indian population, as if to be reckoned upon at all, could, humanly speaking, only be looked for in a long course of ages. The government of the Company, reckoning from the time of its direct exercise, had already done a great deal in the vast and populous countries over which it extended. In its earlier, more defective stages, it had an inherent principle of humanity and public spirit rarely if ever felt in the same degree in native governments. In its more advanced and improved periods it had exhibited to the inhabitants of Hindostan, an example of government more wise in its principles, more just and pure in its practice, than had ever been seen in the the happiest era of native sovereignty. True it was that the higher classes of society were by the nature of our administration in general excluded from the most important functions of the state: the Hindoos, however, had been so in a considerable degree under their Mahommedan rulers; but it was far from being true, as an hon. member (Mr. Preston) had assumed, that under our government the fortunes of a few were made up by sacrificing the multitude, and in respect to the security of person, of property, of the fruits of industry, of religious liberty, of protection from every species of oppression, all ranks now enjoyed a fulness and a certainty, of which no native government had afforded an example.

It was therefore a most important question whether a system so valuable and so well matured should be endangered, in the pursuit of commercial speculations which were not likely even to attain their own object whilst they would derange the commerce now carried on.

After the Chancellor of the Exchequer had spoken, Mr. Grant said in explanation that the continuance of the China trade was not at all then in discussion. The question was concerning the effects of the measures now proposed upon the present Indian system commercial and political.

June 16, 1813. *See p.* 687 *of the present Volume.*

Mr. *C. Grant,* sen. began by observing, that although the extravagant expectations at first entertained of the immense advantages to be derived from throwing open the trade between the East and this country now appeared, from causes which he had before noticed, to have in a great degree subsided; yet the measures which on the ground of realizing those advantages had been contended for, were still contended for as strongly as ever. The main question here was not the conflict of one commercial interest with another. Whatever opinion might be entertained of the merits or demerits of the Company during the period they had enjoyed the exclusive trade to India, the subject now before the House involved other considerations and interests of the highest importance, and therefore should be viewed in all its branches and contemplated in all its relations before a decision was passed, especially as the welfare of many millions might be affected by that decision. He opposed the Resolution now offered to the House, especially that part of it which went to open the outports to the import trade of India, he opposed it as the East India Company did, not merely on commercial grounds, but also on those of a political nature; though true it was that their commercial and political characters had become so interwoven by long union that it was difficult to sever them.

The Company had hitherto been the medium of communication between this country and the East, and the organ for the government of the vast empire it had acquired there so much to the benefit and aggrandisement of this nation. It was allowed to have performed this great office well, both for the interests of India and of the paramount state, and as government profess the intention of continuing the same office to the Company, so it must be presumed the powers necessary to the due discharge of it are also intended to be continued. This is all the Company desire. But whatever goes to shake this system, so wonderfully formed and consolidated, threatens interests the most valuable and momentous. The Indian population, vast as it was, had hitherto been held in easy and willing subjection, by a small number of Europeans, liberally educated indeed, intelligent and accustomed from early age to all the peculiarities of eastern manners, habits, and character. These had governed by the instrumentality of natives, through whom the submission of the great mass of the people had been maintained, more effectually than if they had been governed by princes of their own. But if the country, instead of being, as hitherto, generally shut to Europeans, was to be thrown open to them, the influx of great numbers of them which might naturally be expected to follow, men also of a lower description, who yet would carry with them the greater energy and ambition of the European character with the pushing spirit of adventurers, and the English impatience of restraint, restraint wholesome and necessary in that country. And a large influx of such men would tend to disturb the tranquillity of the country, to form a new class of population there less governable than the natives, and likely to encroach upon them, to offend and to exasperate them. It would be difficult for the Indo-British government to provide a police sufficiently coercive for such a race, and the employment of natives, as must happen, to controul Europeans, would have a very considerable effect upon both, degrading the latter, who ought to be held in great consideration by the natives, and accustoming the natives to treat them with disrespect. It was obvious also, that from the body of such adventurers, individuals might straggle into the service of the native princes, and in that way produce danger of another kind. These were not groundless apprehensions—the whole tenor of the valuable body of evidence which had been given to the House, shewed that they were well founded—and the plain inference hence was, that where the stake was so immensely great it should not be put to hazard, especially for inferior and questionable advantages.

Nor would the danger be confined to the British possessions. The liberty now proposed to be given would open the eastern seas to the ships and adventurers of this country. In those seas there were numerous islands of various dimensions, well peopled but weakly governed by native chiefs. There European adventurers would be subject to little inspection or controul. They might injure and plunder the inhabitants of the coasts or their vessels, and then sail away, without being liable to detection or punishment—and thus disgrace the British name and expose to reprisals other peaceable navigators of that nation sailing from Indo-British ports to whose judicatures they are amenable, and who may therefore be expected to conduct themselves with more justice and good faith. Thus it happened in the time of the Portuguese dominion in the East. The licentious lawless conduct of their traders in those seas brought odium on their nation, and was one of the causes of their expulsion from almost all the seats of their power. Instances of such lawless conduct in our own subjects had occurred at different times in the East among the class of persons called interlopers, persons who had either deserted the Company's service, or adventured into those seas in violation of the Company's rights. It is well known that there had been even English pirates in those seas. Now our government, European or Indian, has no means of watching the proceedings in the eastern Archipelago of ships sailing from Great Britain unless at an immense expence.

Against the apprehension of such dangers it was not enough to say that the Americans had navigated in those seas without committing depredations. They were but recent, and without any settlements, in the eastern world. They could not send such swarms of ships thither as might issue from the ports of these United Kingdoms. And had they given into acts of licence and oppression, they had to expect the speedy correction of the much greater power of the British, who would probably have interfered for the protection and peace of regions with which their subjects maintained a friendly intercourse, and the depredators would certainly have exposed American ships to exclusion from British ports, where their most advantageous trade lay. Yet in point of fact, it must be observed of the Americans, that they had abused the privileges given them by this country in the Indian trade; for the treaty of 1794 accorded to them only a direct trade from America to India and back, but they run into a circuitous trade on the coasts of India and with foreign Europe, greatly to the disadvantage of the Anglo-Indian commerce, both that carried on by the Company and by individuals. As connected with the topic of the danger that might result from the licentiousness of Europeans in the Eastern seas, it might not be quite chimerical or irrelevant to advert to the position of New Holland, a vast country under an excellent climate, where there were growing colonies of British origin, who might in process of time become formidable in the Indian seas. With that region adventurers from Great Britain to those seas might connect themselves, and the intercourse between it and all the countries accessible by the Indian Ocean, ought to be early carefully regulated.

Other consequences might result from the free admission of British ships into the Eastern seas which would immediately injure the Company's commerce, and by thus affecting their home finances impair their ability to perform their political functions. If British adventurers should, under the new system, embark in the Indian commerce, the ill success they would be sure to experience in attempting to prosecute a regular trade with the Indo-British possessions, might naturally lead them into other attempts to make their enterprizes answer. Although they would be excluded from a direct intercourse with China, there were many ports and stations in the Eastern islands already mentioned, where the article of tea might with facility be conveyed to them from China, and thence they might smuggle it into various parts of the United Kingdom. This would be the easier for them, because in those islands generally, there were no custom houses, no regular papers therefore of clearances or manifests to be obtained, and a ship might partly fill up with tea, and divest herself again of that article either in the homeward voyage or on the British coasts, without the usual means of detecting the fraud. There were extensive ranges of the shores of the United Kingdom, of Scotland in particular, where there were no custom houses, where indeed a sufficient number could not be established but at an immense expence, and there tea might be landed and conveyed into the interior. It had been argued that as the public revenue would suffer equally with the interest of the Company by the smuggling of tea, government would take proper measures to prevent that evil. The public revenue would certainly be exposed to loss equally with the commerce of the Company, but yet the interest of the two parties was by no means equal in this case, for if the Company's China trade were ruined, they lost the far greater portion of their commercial income: the duties on tea, though a very large item of the public revenue, bore but a small proportion to the whole. And whatever might be said of precautions to be used by government for the prevention of smuggling tea, a practice that now existed in a certain degree notwithstanding the appointment of various checks, it had appeared incontestibly from the body of evidence derived from the gentlemen who conducted the department of the customs, that the danger of smuggling tea certainly increased with the increase of ships in that trade. The right hon. gentleman (Mr. Rose) had been pleased to treat these fears as groundless and visionary, and to disparage the evidence given on the subject by a very respectable character, Mr. Vivian, Solicitor to the Board of Customs; but the evidence of Mr. Vivian shewed that gentleman to possess a very extensive and intimate acquaintance with the means and methods by which smuggling was or might be practised, and he believed that evidence had made a considerable impression on the committee before whom it was given. The right hon. gentleman, however, overlooked the evidence of the commisioners of the customs, which went to the same conclusion, and he seemed to apply his arguments rather to smuggling in Indian commodities, whereas the chief question was about smuggling in the great Chinese article of tea.

If smuggling in that commodity to a great extent should take place, the commercial profits of the Company would be materially diminished. Tea is now by far the most profitable article of their trade. From a state of war, from the neutral character of the Americans and their access to many ports whence we are excluded, and from the prodigious increase of cotton fabrics in Europe, the value of the Indian commerce has greatly sunk. The monopoly of the China trade, especially in the article of tea, is hence necessary to render their home finances sufficient for the discharge of the commercial demands, and for the realization of the stated dividend on the Company's stock, because it is long since the Company have derived any income from the surplus Indian revenue. On the contrary, in consequence of Indian wars and a long state of war in Europe, a vast addition has been made to the territorial debt. If, therefore, the commercial fund for the dividend should fall short, the value of the stock would proportionably decline, the stockholders would be thrown into embarrassment, the general commercial credit of the Company would sink, the currency of their affairs would be interrupted, and all these circumstances would tend to destroy their efficiency for the performance of the political functions assigned to them in the government of the Indian empire. They require only reasonable security against a defalcation of funds for the regular payment of the dividend and the demands upon the home treasury for the discharge of transferred Indian debt. By opening the outports to the import trade from India, the home system of the Company's sales would be broken down. Ever since the time of king William it had been established by law that all goods imported from the East must be sold in London, and by public auction. No other mode would answer for the Company. Private sales of their goods would be liable to very great objections. The periodical regularity and publicity of their sales were of advantage both to buyers and sellers. They brought in ordinary times buyers from all parts of Europe, who combined with their resort to the Company's sales, other commercial operations in this country. The metropolis was also the most convenient situation for the re-exportation of Eastern commodities to different parts of the world. The confinement of the Eastern trade to the metropolis seems originally to have been intended for the more certain collection of the duties upon it. In modern times, when the rates of duties have in general greatly increased, this purpose has been eminently answered through the medium of the Company's sales, and a revenue of between 3 and 4 millions per annum on the article of tea alone is realized with more certainty and facility and with far less expence than any other great branch of the public revenue. This limitation of the Eastern trade so long to the port of London has also in process of time occasioned the rise of many costly private establishments in and near the metropolis, such as ship-yards, docks, wharfs, warehouses, and a multitude of manufacturing premises in all the branches of ship building, and equipping, dying, packing, &c. The increase in the private trade from India of late has considerably extended several of these establishments; all of them are private property, and the value of the whole is of immense amount. By admitting the outports into the trade, part of it at least may be expected to be drawn away from London, and thus the establishments just described will fall in value, or perhaps be no longer wanted. As it may be concluded the Indian goods brought into the outports will in general be sold by private bargain, and the individual importers of such goods into the port of London will be left by the new system to the same liberty, it may be expected that transactions of this sort will interfere with the Company's public sales, and be so managed as to anticipate them, whence it will probably follow, that the prices of the Company's goods will be deteriorated. Hitherto the realization of the Company's property here has been sufficient generally for the demands on their home treasury; but if, by the anticipations of private sales, the currency of the Company's sales should be interrupted or the value of their Indian imports be much reduced, the consequence may be a serious deficiency in their home funds. The scale of their establishment in warehouses, wharfs, and other apparatus, has been considerably enlarged on account of the increase of private trade from India since 1793. If that trade is withdrawn from their sales, of course their additional establishment will be unnecessary, and a heavy loss to them.

But it has been shewn abundantly in the course of these discussions, that there can be no great increase of Indian demand for the manufactures of this country; the natives of Hindostan in general not desiring them, and all the ports and places of trade in the Indian seas being already explored and visited by the ships of British residents in our settlements. It has also been justly argued that as hence the new trade will be chiefly a trade in imports from India, and the staple commodities of that country, such as cotton piece goods, raw silk, and indigo, are already brought in or may be under the present system to the full extent of the demand, so the only articles in which it is practicable to enlarge the import trade are raw materials, especially cotton wool, which is inferior in quality to the cotton of other countries nearer home, and cannot, as he had occasion to state on a former night, be safely adventured in upon a large scale, unless provisions are made for insuring a steady vent of the article here, of which there is no certainty according to the present state of things. From all this it seems to follow that the proposed innovations will not so much operate to increase the trade between Great Britain and India, as to transfer the trade already existing, from London to the outports, to injure the very large expensive private establishments which the Indian trade has reared in and near the metropolis, and to break down the system of the Company's public sales and Indian trade, without introducing any thing equivalent in their place.

On all these accounts, therefore, he thought the opening of the trade unnecessary and inexpedient. It was a measure grounded upon theory, enforced by clamour and private interest ill informed, and pregnant with injury to existing establishments, without promising any national advantage in compensation. But if the experiment of a further enlargement of the privileges of individuals in the Indian trade must be made, let it be made with safety. Let the port of London be opened for exports to and imports from India to all the merchants of the United Kingdom, for a limited time. In this way the channel already used will be widened, but the existing system, to which so many interests are attached, will not be destroyed. And as there is no probability of the increase of exports, and little of the increase of imports in any material degree, where is the occasion for opening the trade universally? A safe trial may be made without subverting what is already established. Begin with this, and let further measures be determined by the results. He was therefore heartily for the Amendment.

July 1, *on Mr. Canning's Amendment to limit the Monopoly of the China Trade to* 10 *Years. See p.* 1014 *of the present Volume.*

Mr. *C. Grant,* sen. said: It had been already shewn that the monopoly of the China trade was necessary to enable the Company to perform the political functions assigned to them in the government of India. He had on this subject had occasion to observe that the wars which had been carried on in that country had involved them in a very large territorial debt. Hence they had not for a series of years past derived any income from the Indian revenues. The long continued war in Europe had also subjected them to many heavy expences which had further deteriorated their affairs. The Indian trade also, from causes explained in the course of the discussions on the renewal of the charter, had ceased to afford any considerable profit. It was only from the China trade therefore that the Company were to look for the payment of the dividend on their capital stock, without which payment, and the practical discharge of the current demands falling upon the home treasury, the credit of the Company, as had been formerly stated, and with it their efficiency for the proper execution of the political duties they had to perform, would sink. To propose then that the China monopoly should be limited to 10 years, was to propose that the further term of 20 years for which the government of the Indian empire had already been vested in them, should in effect be reduced to ten. The separation of the China monopoly from the administration of India was in the circumstances of the Company, present and prospective, much the same thing as divesting them of the administration. It was to take away from them the subsistence necessary to enable them to act in their political capacity. There was no incompatibility between this argument and the argument for continuing to the Company the monopoly of the Indian trade. One main ground on which they required both was the support of their political efficiency.

The East India Company had preserved the China trade for the nation—they had preserved and improved it, and brought it to its present importance. It was through the medium of such a Company that it would be best maintained, or perhaps maintained at all. The Chinese government was well known to be extremely jealous of strangers, proud, arbitrary, punctilious, undervaluing commerce, and inflexible in its regulations. It would admit foreigners only to one port in the vast empire of China. The excesses and irregularities to which British sailors were prone were odious to the Chinese. It required all the authority of the Company's representatives at Canton to repress disorders among that class of men. They did not always succeed, and in such case only the influence of those representatives with the Chinese government could prevail to appease its resentment. The servants of the Company's factory at Canton had, by a long course of fair honourable dealing, and by the great prudence and respectability of their conduct, established a high character among the Chinese—which, with the large extent of the Company's commerce, gave them great weight in that country. Such respect, with the security resulting from it, such authority to controul the behaviour of our sailors, single occasional unknown unconnected adventurers could not possess. If the commerce were left to individuals, there would be the greatest danger of offences against the Chinese government, of harsh treatment and exclusion on their part, and the consequent loss of the trade. Besides, in order to carry on such a distant trade properly, investments must be provided against the arrival of the ships; for this the Chinese could not be trusted, and Europeans were necessary. But would the residence of every European who might wish to place himself or to sojourn there be permitted? So jealous were the Chinese of the residence of foreigners, that they obliged the Company's established servants, though few in number and so well known and esteemed, to withdraw annually after their ships were dispatched from Canton, to the island and Portuguese settlement of Macao. The Chinese government did not permit a general commercial intercourse even between the natives of the one port to which foreigners were admitted and those foreigners. There was a company of Chinese merchants to whom this intercourse was peculiarly assigned. In short, if the question were how the China trade, which took off so much of our staple productions; employed so many excellent ships and seamen, supplied our population so regularly with an article now become in effect a necessary of life, and afforded a revenue of between three and four millions to the state, could be secured, incomparably the fittest, if not the only instrument, for this purpose, was the East India Company.

To this species of argument the example of the Americans had been objected—they are, it is said, single unconnected adventurers, yet they have carried on a considerable trade with China, and their seamen have been guilty of no disturbance, nor have they given any offence. The true answer to this objection is, that the Americans entered there as a cast of Englishmen under the wing of the British factory, and that the seamen employed in that navigation are in general more sober orderly people than ours. If there had been no such sheltering establishment at Canton, their reception and success there might have been different, and without such an establishment on the part of our nation, the intercourse of British individuals with that country, whether in ships from Europe or from India, would be extremely precarious, not to insist again on what has been already so much urged, the increased danger of smuggling with which such a system would be attended. With regard to the country of Cochin China, it had been long since, he could from his own recollection speak of 40 years, visited by British navigators in the Indian seas, and if they had found any materials for a profitable commerce in it, they certainly would not have failed to have taken advantage of them.

The following is a fuller Report of the Speech of Mr. THOMAS COURTENAY, *on the Affairs of the East India Company, June* 16, *than the one given at p.* 691.

Mr. *Thomas Courtenay* approved of the conclusion of the speech of the hon. director who had just spoken, because it tended to bring back the House to the question before them, namely, whether the free trade should or should not be confined to the port of London. The hon. chairman indeed had said something of Smithfield and something of Billingsgate, which seemed to belong to London, but otherwise he had been wide of the question; he therefore wished to remind the House that it was not now for the "venerable fabric of the Company," it was not for the "system of two centuries," it was not for the state of things of which the country had

had long experience, that the opposers of the present measure were now contending. They were contending for an untried, unmitigated, monopoly; a monopoly which had not one of the features of palliation which belonged to the existing system. Indeed, even the hon. baronet near him, the representative of London (sir W. Curtis) had seen this, and with great candour declared that he could not justify the opening of the trade to London only. Mr. C. could not repeat what he had formerly said upon the general expediency of the measure proposed by the ministers; but he would contend that to amend the resolutions as proposed, so as to open the trade to London only, was the most unreasonable proposition that had been offered to the House; it certainly would be liable to every one of the objections which had been urged against the more complete extension, for it could not seriously be argued that if the natives of India were to be oppressed, it signified to them whether the oppressors came from London or from Glasgow. He for one was of opinion that if the House could not open the trade beyond the port of London, they had better leave it as it was. But he was confident that the only reason stated against the admission of the out-ports into the trade, was quite unsubstantial. He ventured to aver, that the gentleman, (Mr. Vivian) whose evidence had been chiefly relied on in regard to the smuggling of tea, had shewn himself unacquainted with the leading circumstances of the case. He alluded particularly to the privilege enjoyed by foreigners of bringing tea or any thing else, in ships of any burthen, to any part of Europe, and of course up the British channel. These facilities for smuggling, and the practice of fraudulent exportation, for the purpose of relanding, of tea purchased at the Company's sales, and the opportunity moreover of sending tea on shore from the Company's own ships, all existed and might again exist under the present system of monopoly; so that if there should be sufficient temptation to smuggle, the means would not be wanting, whether the trade be opened or not. Admitting the private vessels to the port of London only would be attended with all the dangers arising in the Channel, described by all as the most dangerous to the revenue. Mr. C. referred to the Report of the Revenue Committee in 1782, to shew that some of the very points now urged as securities belonging to the monopoly, were then noticed as circumstances of hazard, resulting from that system, particularly the arrival of the Indian ships, at regular seasons and in large fleets. On the whole Mr. C. expressed his decided opinion that the apprehensions entertained were entirely groundless.

One hon. director had mentioned as an evil which might probably result from the free trade, the transfer of British capital to India; Mr. C. distinctly stated that probability as being in his opinion one of the recommendations of the measure; he observed that lord Wellesley had no such apprehension in 1798, but for his own part he considered that transfer as one grand step towards the improvement of India, a point which throughout these discussions he had always kept in view, and which made him anxious and zealous as he was for the freedom of the trade. He thought that India had a right to look for a participation in all the advantages which we possessed, and he would carry this sentiment so far as to say, that although it might be thought that at a distant period India would avail herself of the resources which we had given her, so as to separate herself from us, it would be a dispensation of Providence to which we were bound to submit.

⁂ The reader is requested to correct the following *Errata*, in sir J. Hippisley's Speech, introducing his motion for a Select Committee, 11 May 1813.

Page 14, *l.* last, for *of the fact*, read *as to the fact*.

Page 25, *l.* 14, after *that*, add *of*.

—— —, *l.* 17, after *clerks of the peace*, add *the number of those who had taken the oaths*.

—— 32, *l.* 7 from bottom, for *I*, read *and;* for *enquiry*, passim, read *inquiry*.

Sir *J. Hippisley*, in his reply, (which was omitted in the report of the debate on his motion) observed, that among the objections stated by Mr. Grattan, to the concession of such a committee as had been moved, was that "of recording animosities": If the admission that such animosities had existed, be in itself objectionable, surely the preamble of Mr. Grattan's Bill must be equally open to objection, as it distinctly avowed the existence of such "animosities" though it was desirable to "bury them in oblivion" [Sir J. H. here read that part of the preamble].—The great length of time to be occupied by such a committee, and which must tend to defeat the Bill before the House, at least for the present session, was another objection urged against the motion.—As to the protraction of time, sir J. H. contended that every essential document, or matter of evidence for such a committee, was ready fór immediate production, and required only to be recorded on the report: and here he must remind the House, that in every debate on this question, he had uniformly mentioned and avowed his opinion that no legislative measure ought to take effect previous to the extended circulation of such a report during the interval of the sessions; nor could he forget that even a right hon. gentleman, who had been so diffuse in his animadversions upon the present motion, had, a few weeks since, on the introduction of the Bill now before the House, contended for the propriety of "laying before the country, something capable of being seen, felt, touched, and handled."—What could be collected from this declaration but that the country at large were to be put in possession of the grounds of concession before the enactment?—in a word, that the enactment should stand over to another session, which the right hon. gentleman himself, in as many words, indeed avowed.—Nor could he easily forget (sir J. H. observed) that on the same recent occasion, when Mr. Grattan moved his Bill, the same right hon. gentleman who had introduced the additional clauses, had likewise pledged his support of the present motion. Uniform as his own opinions and declarations had been on this subject, sir J. H. was at a loss to discover the soundness of the right hon. gentleman's present objections. The right hon. gentleman seemed to have succeeded, however, in producing an impression on the House very adverse to the success of the present motion, though if it failed, sir J. H. added, he should think it no less his duty to give notice of renewing it whenever the subject of the Catholic Claims should be again agitated in that House. [Mr. Grattan having given notice on the 1st of June, of his intention of renewing his motion for the introduction of a Bill, early in the next session, for the relief of his Majesty's Roman Catholic subjects, sir J. Hippisley, some days afterwards, renewed his notice of a motion for a Select Committee in the same terms as he moved it on the 11th of May.]

Errata in the Speech of Mr. Grant, jun. on Indian affairs.

Page 440, for "The *date* upon which it should, &c." read "The *data*, &c."
—— 449, for "amidst its voluminous *evils*" read "voluminous *coils*."

APPENDIX

TO THE

PARLIAMENTARY DEBATES,

VOL. XXVI.

FINANCE ACCOUNTS
OF
GREAT BRITAIN AND IRELAND,
FOR THE YEAR ENDED FIFTH JANUARY 1813.

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I.—PUBLIC INCOME OF GREAT BRITAIN,

FOR THE YEAR ENDING FIFTH JANUARY, 1813.

An Account of the Ordinary Revenues *and* Extraordinary Resources *constituting the* Public Income *of* Great Britain.

HEADS OF REVENUE.	GROSS RECEIPT: Total Sum to be accounted for.			Drawbacks, Discounts, Charges of Management, &c. paid out of the Gross Revenue.			NET PRODUCE applicable to National Objects, and to Payments into the Exchequer.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Ordinary Revenues.									
Permanent and Annual Taxes.									
CUSTOMS	10,453,958	8	10½	2,157,668	9	3½	8,296,289	19	7
EXCISE	19,848,423	10	3¾	2,048,175	5	2	17,800,248	5	1¾
STAMPS	5,628,267	9	1¼	314,281	8	5½	5,313,986	0	7¾
LAND AND ASSESSED TAXES	7,677,204	5	0	304,046	19	1¼	7,373,157	5	10¾
POST OFFICE	2,012,525	19	2¼	477,917	18	2	1,534,608	1	0¼
PENSIONS AND SALARIES... 1s. in the £.	23,179	3	3	379	5	6¾	22,799	17	8¼
PENSIONS AND SALARIES... 6d. in the £.	23,195	11	10¾	410	7	1½	22,785	4	9¼
HACKNEY COACHES	28,269	6	7½	3,419	17	4½	24,849	9	3
HAWKERS AND PEDLARS	23,161	11	8	2,992	0	6	20,169	11	2
Total Permanent and Annual Duties.	45,718,185	5	11	5,309,291	10	9	40,408,893	15	2
Small Branches of the Hereditary Revenue.									
Alienation Fines	10,677	5	5	1,147	8	0	9,529	17	5
Post Fines	6,635	6	0½	140	2	8	6,495	3	4½
Seizures	5,741	14	3	-	-		5,741	14	3
Compositions and Proffers	632	3	4	-	-		632	3	4
Crown Lands	86,683	9	0¼	2,419	16	7½	84,263	12	4¾
Extraordinary Resources.									
War Taxes.									
CUSTOMS	3,262,360	9	11¾	314,030	5	10	2,948,330	4	1¾
EXCISE	5,310,398	0	8¼	105,643	15	10½	5,204,754	4	9¾
PROPERTY TAX	13,628,453	11	0¾	268,046	10	4¼	13,360,407	0	8½
Arrears of Income Duty, &c.	8,273	18	9½	74	11	2¾	8,199	7	6¾
Lottery, Net Profit (of which one third part is for the Service of Ireland)	374,500	0	0	24,354	7	8	350,145	12	4
Monies Paid on Account of the Interest of Loans raised for the Service of Ireland	2,793,313	3	9	-	-		2,793,313	3	9
On Account of the Commissioners, appointed by Act 35 Geo. 3, cap. 127, and 37 Geo. 3, cap. 27, for issuing Exchequer Bills for Grenada, &c.	49,000	0	0	-	-		49,000	0	0
On Account of the East India Company, in repayment of £. 1,500,000 by Act 50 Geo. 3, cap. 114	88,000	0	0	-	-		88,000	0	0
On Account of the Commissioners for issuing Exchequer Bills, by Act 51 Geo. 3.	910,470	0	9	-	-		910,470	0	9
On Account of the Interest, &c. of a Loan granted to the Prince Regent of Portugal	57,170	3	0	-	-		57,170	3	0
Surplus Fees of Regulated Public Offices	84,558	4	5¼	-	-		84,558	4	5¼
Imprest Money repaid by sundry Public Accountants, &c. including Interest	36,556	16	4½	-	-		36,556	16	4½
Other Monies paid to the Public	37,647	11	8¾	-	-		37,647	11	8¾
Total, independent of Loans	72,469,257	4	6½	6,025,148	9	0	66,444,108	15	6½
LOANS paid into the Exchequer, of which the Sum of £. 4,350,000 is for the Service of Ireland, and £. 2,500,000 for the East India Company	29,268,586	16	8	-	-		29,268,586	16	8
GRAND TOTAL	101,737,844	1	2½	6,025,148	9	0	95,712,695	12	2½

The Gross and Net Produce of the DUTIES *arising from* STAMPS *in* ENGLAND, *in the Year ending 5th January* 1813.

	GROSS PRODUCE.			Discounts and Parliamentary Allowances.			Drawbacks on Plate.			Charges of Management.			Incidents.			Parchment, Paper, and Blanks, for the use of the Country.			Returns of Duty.			Im-prests.	NET PRODUCE.		
	£.	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*£.*	*s.*	*d.*
Deeds, Law Proceedings, and other written Instruments (except Legacy Receipts, Probates and Administrations, Bills of Exchange and Promissory Notes and Receipts) and on Licences to Pawnbrokers, and Dealers in Thread Lace, also the Arrears of Duty upon Hats repealed	1,951,487	16	7½	13,884	19	7	-	-		50,907	17	9½	11,821	0	5½	26,017	17	7	2,143	16	3	130	1,846,582	4	11
Legacies	466,131	6	10½	-	-	-	-	-		10,101	5	0½	10,230	14	3¾	-	-		801	3	6	-	444,998	4	0¼
Probates and Administrations	413,964	7	5	4,386	19	11	-	-		8,595	11	1¾	1,628	16	0¾	20	16	8	-	-		-	399,332	3	7¾
Bills of Exchange and Promissory Notes	604,340	19	9	5,222	14	5	-	-		13,590	15	1½	2,644	4	3	177	10	0	-	-		-	582,705	15	11½
Receipts	156,801	12	3	7,729	19	11	-	-		4,494	2	4	802	3	6	520	0	0	-	-		-	143,255	6	6
Newspapers and Almanacks	376,797	19	8	56,849	19	11	-	-		3,608	2	5¼	1,416	18	4	-	-		-	-		-	314,922	18	11¾
Medicine and Medicine Licences	33,492	0	4¾	3,635	12	9	-	-		823	12	10½	163	12	11¾	-	-		-	-		-	28,869	1	9½
Fire Insurances	453,251	17	9½	22,662	0	7	-	-		6,773	17	7½	1,713	12	10¼	-	-		-	-		-	422,102	6	8¾
Cards	24,930	10	0	370	16	0	-	-		250	14	1½	93	14	10¾	-	-		-	-		-	24,215	4	11¾
Gold and Silver Plate	70,705	0	4¼	1,759	4	8¼	3,147	15	4	1,188	6	5	268	11	1¾	-	-		-	-		-	64,341	2	9½
Dice	863	0	0	-	-		-	-		12	17	1	3	4	10½	-	-		-	-		-	846	18	0½
Pamphlets	506	17	2	-	-		-	-		5	4	3¾	1	18	1¾	-	-		-	-		-	499	14	8½
Advertisements	115,875	18	3	-	-		-	-		3,203	3	5¼	645	2	3½	-	-		-	-		-	112,027	12	6¼
Stage Coaches	175,537	1	6	-	-		-	-		4,020	10	9¼	687	17	5¼	-	-		-	-		-	170,828	13	3½
Post Horses	224,273	10	0	-	-		-	-		2,123	11	9½	843	7	3½	-	-		-	-		-	221,306	10	11
Race Horses	853	12	0	42	0	4	-	-		46	11	10¾	5	5	2¼	-	-		-	-		-	759	14	7
	5,069,813	10	0½	116,544	8	1¼	3,147	15	4	109,746	4	2½	32,970	3	11¾	26,736	4	3	2,944	19	9	130	4,777,593	14	4½
Lottery	4,944	2	4	-	-		-	-		1,740	2	4	37	1	0	-	-		-	-		-	3,166	19	0

The Gross and Net Produce, and Payments into the Exchequer, of the DUTIES *arising from* STAMPS *in* SCOTLAND, *in the Year ending 5th January* 1813.

	GROSS PRODUCE.			Discounts and Parliamentary Allowances.			Drawback on Plate.			Incidents.			Charges of Management.			Returns of Duty.			NET PRODUCE.			Remittances paid into the Exchequer.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Deeds, Law Proceedings, and other written Instruments (except Legacy Receipts, Testamentary Inventories, Bills of Exchange and Promissory Notes and Receipts) and on Licences to Pawnbrokers, and Dealers in Thread Lace; also Newspapers and Almanacks, and the Arrears of Duty upon Hats repealed	176,557	10	8½	3,944	8	3	-		-	789	12	1½	7,138	0	8	220	9	10	164,464	19	10	165,211	4	2
Legacies	17,175	9	4½	-		-	-		-	95	15	10	687	12	2	-		-	16,392	1	4½	14,990	0	0
Testamentary Inventories	16,781	17	9	-		-	-		-	2	0	0	450	0	0	458	0	0	15,871	17	9	15,870	0	0
Bills of Exchange and Promissory Notes	86,702	19	7	-		-	-		-	291	17	6	3,840	0	0	-		-	82,571	2	1	79,070	0	0
Receipts	10,620	5	4½	-		-	-		-	36	8	7½	570	0	0	-		-	10,013	16	9	10,330	0	0
Medicine and Medicine Licences	309	19	6	-		-	-		-	22	9	10	-		-	-		-	287	9	8	290	0	0
Fire Insurance	15,677	15	10½	783	16	7½	-		-	9	7	0	-		-	-		-	14,884	12	3	14,890	0	0
Gold and Silver Plate	3,637	5	0	90	18	6	32	16	3	8	0	0½	-		-	-		-	3,505	10	2½	3,400	0	0
Pamphlets	10	0	0	-		-	-		-	-		-	-		-	-		-	10	0	0	10	0	0
Advertisements	14,448	6	0	-		-	-		-	131	9	11	484	0	0	-		-	13,832	16	1	13,832	16	1
Stage Coaches	12,126	2	11½	-		-	-		-	27	0	0½	300	0	0	-		-	11,799	2	11	12,600	0	0
Race Horses	6	6	0	0	6	3	-		-	-		-	-		-	-		-	5	19	9	5	19	9
	354,053	18	1½	4,819	9	7½	32	16	3	1,414	0	11	13,469	12	10	678	9	10	333,639	8	8	330,500	0	0

The GROSS *and* NET PRODUCE *and Payments into the Exchequer, of the* REVENUE *under the Management of the Commissioners of* TAXES *in* ENGLAND *and* WALES.

TAXES.	GROSS PRODUCE, being the Gross Receipt, 1812.			Advances and Disbursements under the authority of various Acts of Parliament.				Charges of Management.			NET PRODUCE, being the Payments into the Exchequer.				Total of Payments, Advances, and Disbursements, and Charges of Management.		
	£.	s.	d.		£.	s.	d.	£.	s.	d.		£.	s.	d.	£.	s.	d.
Land Tax	1,343,576	15	2¼	Militia and Deserters Warrants	87,160	19	3¼	36,372	2	7¾	Land Tax	1,185,334	4	11	1,343,576	15	2¼
				Volunteers	16,814	7	1										
				Defence Acts	1,171	4	1										
				Army of Reserve..	11,780	0	11¼										
				Expences under Land Tax Redemption Acts	4,943	16	3										
Assessed Taxes	5,678,970	16	2¼	- -	-	-		246,560	13	3	Assessed Taxes	5,432,410	2	11¼	5,678,970	16	2¼
Property Tax	12,091,034	5	6½	- -	-	-		246,755	16	0¼	Property Tax	11,844,278	9	6¼	12,091,034	5	6½
Aid and Contribution Tax	3	9	0¾	- -	-	-		0	1	9¾	Aid and Contribution Tax	3	7	3	3	9	0¾
Income Tax	833	4	11½	- -	-	-		21	19	5	Income Tax	811	5	6½	833	4	11½
Totals	19,114,418	10	11¼	- -	121,870	7	7½	529,710	13	1¾		18,462,837	10	2	19,114,418	10	11¼

The same for SCOTLAND.

TAXES.	£.	s.	d.		£.	s.	d.	£.	s.	d.		£.	s.	d.	£.	s.	d.
Land Tax	24,551	10	4½	Militia and Deserters Warrants	11,247	8	3¼	-	-		Land Tax	7,500	0	0	24,551	10	4¼
				Defence Acts	703	17	11½										
				Army of Reserve............	3,617	4	0										
				Population Act	1,483	0	1½										
Assessed Taxes	412,977	19	11¾	Militia	8,168	12	10	21,114	3	2½	Assessed Taxes	360,300	0	0	412,977	19	11¾
				Volunteers	1,528	10	10										
				Army of Reserve	2,359	18	7½										
				Population Act	492	3	6										
				Augmentation of Stipends to Scotch Clergy (50th Geo. 3, c. 84.)	19,014	10	11¾										
Property Tax	966,790	14	4	- -	-	-		21,209	14	4	Property Tax	945,500	0	0	966,790	14	4
Aid and Contribution Tax	900	0	0	- -	-	-		-	-		Aid and Contribution Tax	900	0	0	900	0	0
Income Tax	6,537	4	9¼	- -	-	-		52	10	0	Income Tax	6,484	14	9¼	6,537	4	9¼
Totals	1,411,757	19	5¼	- -	48,615	7	1½	42,457	7	6½		1,320,684	14	9¼	1,411,757	19	5¼

The Gross and Net Produce, and Payments into the Exchequer, of the Revenue arising from the POST OFFICE *in* ENGLAND *and* SCOTLAND *respectively, for the Year ending 5th Jan.* 1813; *Likewise an Account of the* PENSIONS *and* PARLIAMENTARY GRANTS, *paid out of the Revenue of the Post-Office.*

	GROSS PRODUCE.			Management.			Returns.			Packets Establishment.			Captured and Extra Packets.			Irish, with £.4,000 per ann.			Irish Inland Postage.			NET.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Inland (Part estimated)...............	1,458,834	7	9	271,445	16	6	48,590	4	3	22,760	19	5	61,252	14	8	-	-		-	-		1,054,784	12	11
Foreign	95,797	15	4	16,063	18	8	231	16	7	14,761	15	1	7,742	11	3	-	-		-	-		56,997	13	9
Twopenny Post	93,629	11	11	33,454	2	7	-	-		-	-		-	-		-	-		-	-		60,175	9	4
Scotland	178,897	7	9	26,260	14	9	11,019	9	9	-	-		-	-		-	-		-	-		141,617	3	3
Ireland	56 112	2	4	-	-		2,668	13	2	-	-		-	-		8,478	13	5	15.696	11	10	29,268	3	11
TOTAL	1,883,271	5	1	347,224	12	6	62,510	3	9	37,522	14	6	63,995	5	11	8,478	13	5	15,696	11	10	1,342,843	3	2

Payments, paid into the Exchequer by the Receiver General.			Parliamentary Grants.			Total Exchequer Payments, and Parliamentary Grants.			Edinburgh Remittances.			
£.	s.	d.	£.	s.	d.	£.	s.	d.		£.	s.	d.
1,322,000	0	0	13,700	0	0	1,335,700	0	0	5th April 1812..	37,844	15	3
									5th July	35,190	10	10
									10th October	36,575	4	11
									5th January 1813	32,979	0	3
										142 589	11	3

II.—CONSOLIDATED FUND AND PERMANENT TAXES.—INCOME AND CHARGE, 1813.

INCOME.	£.	s.	d.	£.	s.	d.
CUSTOMS. Consolidated after reserving £. 62,500 per quarter, from 5th July 1803, as directed per Act 43 Geo. 3, cap. 68, to be carried to Duties pro Anno 1803, and the further sum of £. 105,000 per Annum per Act 49 Geo. 3, to be carried to Duties pro Anno 1809 ……… £.	3,207,567	7	8¾			
Isle of Man Customs………	6,973	3	1½			
Quarantine Duty…………	9,568	1	7½			
Canal and Dock Duty……	29,608	15	2	3,253,717	7	7¾
EXCISE. Consolidated after reserving the several Sums carried per Acts 45 and 46 Geo. 3, cap. 44, and 31, to Duties pro Annis 1805 and 1806 ………				13,676,128	3	6
STAMPS. Reserved out of Consolidated Stamp Duties, per Act 48 Geo. 3, cap. 149 ……… £.	2,910,536	12	4½			
Licences for selling Lottery Tickets………	3,166	19	0	2,913,703	11	4½
INCIDENTS………				5,627,718	11	7
Fines of Leases………				6,399	0	0
Surplus of Sugar, Malt, & Tobacco, annually granted				920,794	12	6
Ditto 6d. & 1s. per lib. on Pensions and Salaries				1,493	5	0½
Duties on Annual Malt, 1809, 1810, 1811………				368,799	0	0
Pensions, Offices, and Personal Estates, 1799 to 1811				95,567	5	4½
Land Taxes, 1799 to 1812………				1,091,706	2	6½
Income Duty, 1799 to 1801………				7,296	0	3¾
Arrears of Assessed Taxes, 1798………				903	7	3
Money reserved on account of Nominees appointed by the Lords of the Treasury, in Tontine, 1789…				23,643	15	4¼
Monies paid by divers Persons………				1,132,282	8	11¾
Total Income applicable towards Debt created before 5th January 1803………				29,120,152	11	5½

CHARGE.	Actual Payment out of the Consolidated Fund, in the Year ended 5th January 1813. £.	s.	d.	Future Annual Charge upon the Consolidated Fund, as it stood on 5th January 1813. £.	s.	d.
Total Charge for Debt created prior to 5th of January 1803, as it stood on 5th January 1813………	24,120,682	4	10¼	24,100,740	3	2¾
CIVIL LIST.						
His Majesty's Household, per Act 17 Geo. 3………	898,000	0	0	898,000	0	0
Ditto……… 44………	60,000	0	0	60,000	0	0
Ditto……… 52………	61,538	9	3	70,000	0	0
TOTAL………	1,019,538	9	3	1,028,000	0	0
COURTS OF JUSTICE.						
Judges of England and Wales, in augmentation of their Salaries………	13,050	0	0	13,050	0	0
Deficiencies of Judges Salaries in England………	13,368	8	5½	Uncertain.		
Additional Salaries to Judges in Wales………	3,200	0	0	3,200	0	0
Aaron Graham, Esq. Inspector of temporary Places of Confinement for Felons………	350	0	0	350	0	0
William Baldwin, Esq. Receiver of the Seven Police Offices………	18,779	8	3½	Uncertain.		
Patrick Colquhoun, Esq. Ditto Thames Ditto……	6,511	1	1½			
VICE ADMIRALTY JUDGES:—						
J. W. Compton, Esq. V. Adm. Judge at Barbadoes…	2,000	0	0	2,000	0	0
Henry Moreton Dyer, Esq. …Ditto… Bahamas…	2,000	0	0	2,000	0	0
Alexander Croke, Esq. ………Ditto… Nova Scotia	2,000	0	0	2,000	0	0
John Sewell, Esq………Ditto… Malta……	2,000	0	0	2,000	0	0
Henry John Hinchliffe, Esq. .. Ditto… Jamaica…	2,000	0	0	2,000	0	0
William Territt, Esq………Ditto… Bermudas…	2,000	0	0	2,000	0	0
Sheriffs of England and Wales………	4,000	0	0	4,000	0	0
Clerk of the Hanaper in Chancery………	2,500	0	0	Uncertain.		
MINT.						
Master of his Majesty's Mint in England………	10,350	0	0	Uncertain.		

DUTIES pro Anno 1803.	
Reserved out of Consolidated Customs	250,000 0 0
Brought from Consolidated Duties on Stamps	59,695 15 3
On Assessed Taxes	240,375 13 5
Interest, &c. on Loan for Ireland	136,030 11 6
TOTAL	686,372 0 2
DUTIES pro Anno 1804.	
Brought from Consolidated Stamps	960,346 18 11
Interest, &c. on Loan for Ireland	330,060 17 6
TOTAL	1,290,407 16 5
DUTIES pro Anno 1805.	
Brought from Consolidated Customs	262,353 5 0
Ditto ..... ditto ..... Stamps	52,313 16 8½
Taken from Consolidated Letter Money	296,027 5 7
Reserved out of Consolidated Duties on Assessed Taxes, Duty on Horses	149,151 18 9¼
Duties taken from Consolidated Excise, Salt, Auctions, Bricks and Tiles, Cyder and Perry, Glass, Vinegar, Wire	657,052 0 0
Interest, &c. on Loan for Ireland	276,903 19 1
TOTAL	1,693,802 5 1¾
DUTIES pro Anno 1806.	
Wine, 1803, 1804, and Tea	381,653 0 0
British Spirits 1806	311,300 0 0
Reserved out of Consolidated Duties on Assessed Taxes	540,076 6 6
Brought from Consolidated Stamp Duties	6,917 1 4
Interest, &c. on Loan for Ireland	133,845 10 8
TOTAL	1,373,791 18 6
DUTIES pro Anno 1807.	
Brought from War Taxes, to pay the Charge of Loan	1,200,000 0 0
Interest, &c. on Loan for Ireland	222,838 17 1
TOTAL	1,422,838 17 1

[This Account continued over leaf.]

Ditto..........Scotland	1,200 0 0	1,200 0 0
Deficiency of Mint Fees	3,220 1 6	Uncertain.
SALARIES AND ALLOWANCES.		
Marquis of Bute, late one of the Auditors of Imprest	7,000 0 0	7,000 0 0
Philip Deare, Esq. late Deputy to ditto	300 0 0	300 0 0
Edward Roberts, Esq. an annual Sum, formerly paid to the Auditor	650 0 0	650 0 0
George Pepler, Esq. Inspector of Tontine Certificates	600 0 0	} Uncertain.
Chief Cashier of the Bank, for Fees at sundry Public Offices	1,010 17 0	
COMMISSIONERS OF PUBLIC ACCOUNTS.		
William Mackworth Praed, Esq. Chairman	1,500 0 0	1,500 0 0
Sir Charles William Rouse Boughton, Bart.	1,200 0 0	1,200 0 0
Francis Percival Eliot, Esq.	1,200 0 0	1,200 0 0
Richard Dawkins, Esq.	1,200 0 0	1,200 0 0
John Anstey, Esq.	1,200 0 0	1,200 0 0
John Whishaw, Esq.	1,200 0 0	1,200 0 0
Philip Deare, Esq.	1,200 0 0	1,200 0 0
John Sargent, Esq.	1,200 0 0	1,200 0 0
Salaries and Contingencies in the Office of the ditto.	36,802 1 11	Uncertain.
COMMISSIONERS OF WEST INDIA ACCOUNTS.		
John Halket, Esq.	1,500 0 0	1,500 0 0
James Chapman, Esq.	1,000 0 0	1,000 0 0
John Wilson, Esq.	1,000 0 0	1,000 0 0
Salaries and Contingencies in the Office of ditto	6,048 1 4	Uncertain.
PENSIONS, (See Appendix, C. No. 5.)	336,498 16 7¼	Nearly the same.
MISCELLANEOUS, (See ditto)	125,224 5 4¼	Nearly the same.
Total of Incidental Charges upon the Consolidated Fund, as they stood on the 5th January 1813	1,635,601 10 10	1,423,600 18 0

[This Account continued over leaf.]

Duties pro Anno 1808.		
Surplus of Consolidated Duties on Assessed Taxes...		130,627 10 6
Surplus of Consolidated Stamp Duties		150,000 0 0
Interest, &c. on Loan for Ireland		148,685 8 6
Total		429,312 19 0
Duties pro Anno 1809.		
Brought from Consolidated Customs		105,000 0 0
Ditto from War Taxes, to pay the Charge of Loan		1,040,000 0 0
Charges of Loan for the Prince Regent of Portugal		57,170 3 0
Interest, &c. on Loan for Ireland		177,249 15 5
Total		1,379,419 18 5
Duties pro Anno 1810.		
Brought from Consolidated Stamps		935,590 0 4
Interest, &c. on Loan for Ireland		305,706 11 6
Total		1,241,296 11 10
Duties pro Anno 1811.		
Interest, &c. on Loan		529,809 4 11¾
British Spirits, 1811..............	£.444,172 0 0	
Foreign ditto	21,929 0 0	
		466,101 0 0
Total		995,910 4 11¾
Duties pro Anno 1812.		
Stone Bottles, Glass, Hides and Skins, Tobacco and Snuff, per Acts 52 Geo. 3.		96,400 0 0
Estimated Amount of the additional Duty on the Postage of Letters		100,306 1 1
Interest, &c. on Loan for Ireland		148,504 10 5
Additional Duties upon sundry Assessed Taxes imposed per Act 52 Geo. 3, on Male Servants, Carriages, Horses for Riding, Ditto and Mules, Dogs		129,030 0 5
Total		474,240 11 11
Total INCOME of the Consolidated Fund in the Year ending 5th Jan. 1813		40,107,515 14 11

Debt incurred in respect of £. 12,000,000, raised for the Service of the Year 1803	817,120 10 6¾	813,856 10 7
Debt incurred in respect of £. 14,500,000, raised for the Service of the Year 1804....................	1,174,168 18 0	1,173,470 7 10
Debt incurred in respect of £. 22,500,000, raised for the Service of the Year 1805..........................	1,716,992 0 4	1,716,992 0 4
Debt incurred in respect of £. 20,000,000, raised for the Service of the Year 1806..............	1,339,288 0 0	1,339,288 0 0
Debt incurred in respect of £. 12,000,000, part of £. 14,200,000, raised for the Service of the Year 1807	1,434,155 6 5¾	1,433,381 0 4¼
Debt incurred in respect of £. 4,000,000, Exchequer Bills, funded for the Year 1808	878,055 2 4¼	878,055 3 0¼
Debt incurred in respect of £. 7,932,100, Exchequer Bills, funded for the Year 1809	1,377,990 17 11	1,377,953 13 6¼
Debt incurred in respect of £. 8,311,000, Exchequer Bills, funded for the Year 1810	1,276,179 9 10½	1,276,382 10 2½
Debt incurred in respect of £. 7,018,700, Exchequer Bills, funded for the Year 1811	1,677,203 2 11½	1,495,772 6 5¼
Debt incurred in respect of £ 5,431,700, Exchequer Bills, funded for the Year 1812	1,442,779 14 5	2,214,578 17 8¾

RECAPITULATION.

Total Charge for Debt incurred prior to 1803	24,120,682 4 10¼	24,100,740 3 2¾
Total of Incidental Charges..........................	1,635,601 10 10	1,423,600 18 0
Total Charge for Debt incurred in 1803	817,120 10 6¾	813,856 10 7
Ditto ...... Ditto...................... 1804	1,174,168 18 0	1,173,470 7 10
Ditto ...... Ditto 1805	1,716,992 0 4	1,716,992 0 4
Ditto ...... Ditto...................... 1806	1,339,288 0 0	1,339,288 0 0
Ditto ...... Ditto...................... 1807	1,434,155 6 5¾	1,433,381 0 4¼
Ditto ...... Ditto...................... 1808	878,055 2 4¼	878,055 3 0¼
Ditto ...... Ditto...................... 1809	1,377,990 17 11	1,377,953 13 6¼
Ditto ... .. Ditto...................... 1810	1,276,179 9 10½	1,276,382 10 2½
Ditto ...... Ditto............. ...... 1811	1,677,203 2 11½	1,495,772 6 5¼
Ditto ...... Ditto...................... 1812	1,442,779 14 5	2,214,578 17 8¾
Total CHARGE upon the Consolidated Fund in the Year ended 5th January, 1813..................	38,890,216 18 7	39,244,071 11 3

An Account of the Net Produce of all the PERMANENT TAXES *of* GREAT BRITAIN; *taken for Two Years ending respectively 5th January* 1812 *and 5th January* 1813.

		In the Year ended 5 Jan. 1812.			Do. 5th Jan. 1813.		
		£.	s.	d.	£.	s.	d.
CONSOLIDATED CUSTOMS		3,974,732	1	10¾	3,824,920	12	8¼
Ditto …… Ditto (ISLE OF MAN)		8,335	4	9½	6,973	3	1½
Ditto …… EXCISE		15,768,167	12	4	14,811,233	3	6
Ditto …… STAMPS		5,086,782	11	2	5,075,670	4	11
LAND TAXES		999,782	1	5¾	1,095,766	19	6½
INCIDENTS.							
Letter Money		1,275,000	0	0	1,321,000	0	0
Hawkers and Pedlars		20,251	3	5	18,700	0	0
Seizures		26,044	6	10½	5,741	14	3
Proffers		593	1	7	629	6	8
Compositions		2	3	4	2	16	8
Fines and Forfeitures		873	10	0	2,727	5	4
Rent of a Light House		6	13	4	6	13	4
Ditto…… Alum Mines		864	0	0	864	0	0
Alienation Duty		4,040	2	0	4,807	8	8
Lottery Licences		3,696	0	1	3,166	19	0
Quarantine Duty		12,679	0	0	9,568	1	7½
Canal and Dock Duty		32,907	10	5½	35,608	15	2
6*d.* per Lib. on Pensions	1721	—	—	—	163	0	10
1*s.* …… Ditto on Salaries	1758	—	—	—	323	14	10
Houses and Windows	1766	300	0	0	—		
Hackney Coaches and Chairs	1711 and 1784	23,877	0	0	24,979	0	0
Horses for Riding	1785	200	0	0	—		
Male Servants	—	300	0	0	—		
4 Wheeled Carriages	—	50	0	0	7	0	0
2 …… Ditto …… Ditto	—	150	0	0	—		
Hair Powder Certificates	1795	902	2	0	—		
Horse Dealers Licences	1796	200	0	0	—		
£. 20 per Cent.	1797	300	0	0	1	8	0
Houses	—	200	0	0	—		
Horses	—	200	0	0	—		
Clocks and Watches	—	—	—	—	100	0	0
Dogs	—	100	0	0	—		
Additional assessed Taxes	1798	121	10	0¼	—		
Houses and Windows	—	1,299	6	0	100	0	0
Inhabited Houses	—	220	9	4	100	0	0
Horses for Riding	—	741	2	0	—		
Ditto…… Husbandry	—	1,235	14	0	—		
Male Servants	—	20	11	0	—		
4 Wheeled Carriages	—	34	16	0	—		
2 …… Ditto …… Ditto	—	1,027	12	0	—		
Dogs	—	1,012	6	0	—		
Armorial Bearings	—	501	11	6	100	0	0
Arrears of Taxes	—	—	—	—	1,339	18	0
Horses for Husbandry	1801	23	16	0	—		
Ditto…… Riding	—	17	10	0	—		
Houses and Windows	1802	2,628	2	5	291	6	7
Inhabited Houses	—	1,300	0	0	1,300	8	0
Horses for Riding	—	576	8	4	16	12	0
Ditto…… Husbandry	—	420	5	6	700	0	0
Male Servants	—	21	6	1	308	14	10
4 Wheeled Carriages	—	92	16	0	100	0	0
2 Ditto …… Ditto	—	500	0	0	200	0	0
Dogs	—	503	6	0	100	0	0
Houses and Windows	1804	10,361	15	6	4,921	0	9½
Inhabited Houses	—	4,930	19	3	1,742	3	5½
Horses for Riding	—	4,803	14	9¾	604	5	1
Ditto…… and Mules	—	6,421	9	6¼	1,784	15	3
Male Servants	—	2,009	10	7	496	11	6
Carriages	—	4,111	16	10½	617	9	2
Dogs	—	4,739	17	8	549	13	2½
Hair Powder Certificates	—	3,131	11	4	4	14	6
Horse Dealers Licences	—	734	7	0	115	0	3

			In the Year ended 5 Jan. 1812.			Do. 5th Jan. 1813.		
			£.	s.	d.	£.	s.	d.
Armorial Bearings		1804	1,875	1	5	504	4	0
British Spirits		1806	505,015	0	0	311,300	0	0
Foreign Spirits		—	20,055	0	0	—		
£. 10 per Cent.		—	8,870	0	5¼	991	16	9
Consolidated Assessed Taxes		1808	5,667,881	13	1½	5,775,563	1	6¾
6*d.* per lib. on Pensions		1809	3,650	0	0	5,049	8	4
1*s.* Ditto on Salaries		—	6,550	0	0	4,208	16	0
6*d.* Ditto on Pensions		1810	9,200	0	0	3,500	0	0
1*s.* Ditto on Salaries		—	12,800	0	0	2,500	0	0
6*d.* Ditto on Pensions		1811	1,100	0	0	9,900	0	0
1*s.* Ditto Salaries		—	1,700	0	0	12,500	0	0
British Spirits		—	—	—	—	444,172	0	0
Foreign Spirits		—	—	—	—	21,929	0	0
6*d.* per lib. on Pensions		1812	—	—	—	1,000	0	0
1*s.* Ditto on Salaries		—	—	—	—	2,000	0	0
Surplus Duties Annually granted after discharging £. 3,000,000 Exchequer Bills charged thereon,	Sugar and Malt		230,927	11	0	145,258	19	2
	Additional Malts		834,072	0	0	672,016	0	0
	Annual Malt		553,923	0	0	368,799	0	0
	Tobacco		119,878	0	0	103,519	13	4
	Land Tax on Offices, &c.		129,497	9	7½	95,567	5	4½
	6*d.* per lib. on Pensions		1,422	1	9	1,380	12	2¼
	1*s.* Ditto ...... Salaries.		1,285	6	8	112	12	10¼
			35,404,781	19	6	34,240,276	10	4½
Duties Annually granted to discharge £. 3,000,000 Exchequer Bills charged thereon.	Sugar and Malt		2,134,981	18	1¼	2,785,224	6	3
	Additional Malts		282,528	0	0	139,106	0	0
	Tobacco		406,276	0	0	430,928	6	8
	Land Tax on Offices, &c.		4,000	0	0	1,500	0	0
			38,232,567	17	7¼	37,597,035	3	3½

III.

ARREARS AND BALANCES OF PUBLIC ACCOUNTANTS.

HEADS OF THESE ACCOUNTS.

Arrears due on the 5th of January 1813, from the Officers of the Customs in England, &c.

Arrears due on Ditto, from the Officers of the Customs in Scotland, &c.

Arrears due on Ditto, from the Officers of Excise in England, &c.

Arrears due on Ditto, from the Officers of Excise in Scotland, &c.

Arrears due on Ditto, from the Distributors of Stamps in Great Britain, &c.

Balances in the Hands of the Distributors of Stamps in Great Britain, &c.

Arrears due on the 5th January 1812, from the Receivers General of the Land and Assessed Taxes in Great Britain, &c.

Arrears due on the 5th January 1811, from the Officers of the Post Office of Great Britain, &c.

Balances in the Hands of the Deputy Postmasters in Great Britain, &c.

Arrears and Balances due on the 5th January 1812, from the Persons employed in receiving or collecting the Land Revenue of the Crown in England and Wales, &c.

List of Public Accountants, in respect of whom the Executors of any Process or Proceeding hath been Controlled, Suspended, or Prevented, &c.

Accounts delivered into the Office of the Comptrollers of the Accounts of the Army, &c.

List of Officers and Departments whose Accounts are audited by the Commissioners for Auditing the Public Accounts*.

List of Persons Accountable before the Commissioners for Auditing the Public Accounts, for Money Imprested on Account for Extraordinary Services*.

List of Accounts delivered over by the late Commissioners for Auditing Public Accounts to the Commissioners appointed for the like purpose under the 46th Geo. 3; and of the Accounts since received into the Audit Office, Somerset-Place, or since received into the Office of the said Commissioners, which have neither been *Audited*, *Stated*, or *Declared*;—completed to the 5th of January 1812.

List of the same which *have been* either *Stated*, or *Declared*; so far, as any *Balances* appear to be now owing *to* or *from*, the Public upon any such Accounts;—completed to the 5th January 1812.

* These will be found at length in the former Volumes of this Work.

IV.—TRADE AND NAVIGATION OF GREAT BRITAIN.

Value of all IMPORTS *into, and of all* EXPORTS *from,* GREAT BRITAIN, *for Three Years, ending the 5th of January,* 1813.

	OFFICIAL VALUE of IMPORTS.		OFFICIAL VALUE of EXPORTS.	
	From Europe, Africa, and America.	From East Indies and China.	British Produce and Manufactures.	Foreign Merchandize.
	£.	£.	£.	£.
Year ended 5th January 1811	36,427,722	4,708,413	34,923,575	10,946,284
1812	24,520,329	4,106,251	24,131,734	8,277,937
1813	22,994,843	*	31,243,362	11,998,179

Note—The real Value of British Produce and Manufactures Exported from Great Britain, according to the average Prices Current, and the Declarations of the Exporters, in the Year ended the 5th of January 1813, amounted to £. 43,657,864

* The Account of Imports from the East Indies and China cannot yet be stated.

[The Appendixes to this Account specify the various Articles.]

Number of VESSELS, *with the Amount of their* TONNAGE, *which have been Built and Registered in the several Ports of the* BRITISH *Empire (except Ireland) in the Years* 1810, 1811, *and* 1812.

	SHIPS.	TONS.
In the Year 1810	685	84,891
In the Year 1811, being the Account delivered last year and now corrected	870	115,630
In the Year 1812	760	94,198

Number of VESSELS, *with the Amount of their* TONNAGE, *and the Number of* MEN *and* BOYS *usually employed in navigating the same, which belonged to the several Ports of the* BRITISH *Empire, on the 30th September, in the Years* 1810, 1811, *and* 1812.

	In 1810.			In 1811.			In 1812.		
	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.
England	16,048	1,918,089	126,008	16,164	1,942,406	123,757	16,295	1,951,234	124,896
Scotland	2,552	209,736	15,064	2,630	220,688	15,490	2,708	231,273	16,300
Ireland	1,126	58,650	5,416	1,133	59,155	5,484	1,111	57,104	5,320
Plantations	3,450	215,383	14,157	3,628	227,452	14,085	3,470	216,068	14,971
Guernsey	104	9,947	883	94	9,485	855	76	8,312	751
Jersey	57	5,454	550	59	6,003	547	54	5,369	519
Isle of Man	366	8,785	2,117	398	9,585	2,329	393	9,439	2,273
Totals	23,703	2,426,044	164,195	24,106	2,474,774	162,547	24,107	2,478,799	165,030

Number of VESSELS *which entered* INWARDS *and cleared* OUTWARDS, *at the several Ports of* GREAT BRITAIN, *from, or to, all Parts of the World, between 5th January* 1810, *and 5th January* 1813.

	INWARDS.						OUTWARDS.					
	BRITISH.			FOREIGN.			BRITISH.			FOREIGN.		
England.	SHIPS.	TONS.	MEN.	SHIPS	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.
1810	10,467	1,346,990	84,776	6,199	1,070,080	54,268	10,159	1,369,696	89,435	6,210	1,073,535	57,187
1811	10,179	1,294,651	77,354	2,921	637,416	31,414	10,111	1,264,509	79,732	3,048	647,159	34,460
1812	10,756	1,310,156	78,269	2,246	469,696	22,829	11,177	1,386,550	85,473	2,356	490,206	24,949
Scotland.												
1810	3,090	262,098	18,124	677	106,163	5,826	2,933	254,578	18,289	431	64,992	3,683
1811	2,729	228,041	17,386	295	49,764	2,743	2,663	242,844	17,007	302	49,073	2,802
1812	3,113	269,559	18,102	290	48,747	2,690	3,151	278,968	19,531	311	50,696	2,892

V.—PUBLIC EXPENDITURE.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
I. For Interest, &c. on the Permanent Debt of Great Britain, Unredeemed; including Annuities for Lives and Terms of Years, &c. (App. A)	-	-		-	-		36,635,483	3	10¾
II. Interest on Exchequer Bills, (B)...	-	-		-	-		1,835,369	2	3
III. Civil List, (C)	-	-		1,019,538	9	3			
IV. Other Charges on the Consolidated Fund. Courts of Justice	-	-		73,758	17	10½			
Mint..............	-	-		14,770	1	6			
Allow. to R. Fam.	-	-		336,498	16	7¼			
Sal. & Allowances	-	-		65,811	0	3			
Bounties	-	-		125,224	5	4¼			
							1,635,601	10	10
V. Civil Government of Scotland, (D)	-	-		-	-		112,748	2	7
VI. The other Payments in Anticipation of the Exchequer Receipts; (E) viz.									
Bounties for Fisheries, Manufactures, Corn, &c.	-	-		389,433	10	2¾			
Pensions on the Hereditary Revenue				27,700	0	0			
Militia and Deserters Warrants ...	-	-		165,541	18	6			
							582,675	8	8¾
VII. The Navy (F)	-	-		11,005,529	2	5			
The Victualling Department	-	-		5,702,181	9	6			
The Transport Ditto, for Transports, Prisoners of War, and Sick and Wounded Seamen	3,358,628	15	1						
Miscellaneous Services	434,000	0	0						
				3,792,628	15	1			
							20,500,339	7	0
VIII. Ordnance, (G)	-	-		-	-		4,252,409	15	11
IX. The Army, (H)........................	-	-		15,382,049	15	4			
Extraordinary Services & Subsidies	-	-		14,920,841	0	0			
				30,302,890	15	4			
Deduct the Amount of Remittances and Advances to other Countries, included in Appendix I.	-	-		5,315,528	3	7¾			
							24,987,362	11	8¼
X. Loans, Remittances and Advances to other Countries, (I) viz.									
Ireland	-	-		2,888,500	0	0			
Sicily	400,000	0	0						
Portugal	2,228,276	9	10						
Spain	2,092,325	16	6¾						
Sweden	306,736	4	5						
Russia	286,237	10	3						
Morocco	1,952	2	7						
				5,315,528	3	7¾			
							8,204,028	3	7¾
XI. Miscellaneous Services (K)									
At Home	1,485,124	1	11¼						
Abroad	293,965	1	10						
				1,779,089	3	9¼			
Loan to the East India Company...	-	-		2,498,000	0	0			
Principal, Interest, &c. of Commercial Exchequer Bills	-	-		1,375,141	16	7			
							5,652,231	0	4¼
							104,398,248	6	10¾
Deduct Sums, which although included in this Account, form no part of the Expenditure of Great Britain; viz.									
Loan for Ireland..				2,888,500	0	0			
Interest, and £. 1. per cent. on Portuguese Loan				57,170	3	0			
Principal, Interest and Management of Commercial Exchequer Bills				1,375,141	16	7			
Loan to the East India Company				2,500,000	0	0			
Sinking Fund on Ditto				27,705	0	0			
							6,848,516	19	7
							*97,549,731	7	3¾

* This includes the Sum of £. 421,692 1 10 for Interest, &c. paid on Imperial Loans.

APPENDIX (A. 1.)—*Monies paid in the Year ended 5th Jan.* 1813, *towards the Charges of the* PUBLIC DEBT *of Great Britain, Ireland, Imperial and Portuguese Loans.*

	Interest.			Annuities for Lives and for Terms of Years.			Charges of Management.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Permanent Funded Debt of Great Britain	19,484,449	19	9¼	1,195,575	15	10¼	210,370	17	0¼
Loans raised for the Service of Ireland	1,666,347	18	10	104,083	6	8	18,942	8	0
Imperial Loans	187,581	6	4	230,000	0	0	4,110	15	6
Portuguese Loans	22,873	13	0	-	-		281	11	11¼
Interest	21,361,252	17	11¼	1,529,659	2	6¼	233,705	12	5½
Life Annuities, &c.	1,529,659	2	6¼						
Management	233,705	12	5½						
	23,124,617	12	11						

Towards the Redemption of the Public Debt; viz.	£.	s.	d.	£.	s.	d.
Annual Issue per Act 26 Geo. III.	1,000,000	0	0			
Ditto... 42 Ditto ...	200,000	0	0			
Annuities for Terms of Years expired prior to 5th July 1802	79,880	14	6			
Ditto on Lives, on which the Nominees died prior to 5th July 1802, or that have been unclaimed for 3 Years	51,711	3	1			
Interest on Debt of Great Britain redeemed, exclusive of £.12,000,000 part of 14,200,000 pro Anno 1807 ...	5,815,352	19	6			
Ditto on part of £.12,000,000, Do.	158,853	8	7			
Ditto for Ireland ...	283,892	9	8			
Ditto Imperial......	37,497	13	8			
Ditto Portuguese ..	3,992	0	5			
£.1 per Cent on part of Capitals created since the 5th Jan. 1793	4,466,561	1	6¾			
Part of the Annual Appropriation for the Redemption of £.12,000,000 part of £.14,200,000 pro Anno 1807 ...	626,255	10	5			
£.1 per Cent on part of Capitals created by Loans for Ireland	640,711	14	0			
Do. Imperial Loans	36,693	0	0			
Do. Portuguese Do.	30,000	0	0			
Interest on Stock transferred for Life Annuities	51,108	16	4			
				13,482,510	11	8¾
				36,607,128	4	7¾

Note 1.—The gross Amount received and applied towards the Redemption of the Public Funded Debt is as follows:

	£.	s.	d.	£.	s.	d.
Money paid out of the Receipt of the Exchequer as herein stated	13,482,510	11	8¾			
Add—Returned from Account of Life Annuities, the Nominees having died prior to its being set apart for Payment	649	19	3			
Add also—The Sum applied towards the Redemption of the Debt created in respect of £.2,500,000 borrowed for the East India Company in 1812, the Amount paid by the Company to the Bank in pursuance of the Act 51 Geo. 3, Cap. 135...	27,705	0	0			
Total, as in Appendix A. 2...........................				£.13,510,865	10	11¾

Note 2.—Total Expenditure on Account of Interest and Charges of Management as within stated 23,124,617 12 11

Ditto Reduction of National Debt 13,510,865 10 11¾

Appendix, A. 1, 2............ £.36,635,483 3 10¾

APPENDIX (A. 2)—*Total Amount of the Sums actually received by the* COMMISSIONERS *for the Reduction of the* NATIONAL DEBT, *in the Year ended 5th Jan.* 1813.

GREAT BRITAIN.	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*
Annual Issue	1,000,000	0	0			
Ditto additional Issue	200,000	0	0			
Exchequer Annuities for 99 and 96 Years expired anno 1792	54,880	14	6			
Short Annuities 1777 expired anno 1787	25,000	0	0			
Annuities on Lives expired prior to 5th July 1802	21,141	6	1			
Annuities on Lives unclaimed for three years before 5th Jan. 1812	30,569	17	0			
£ 1 per Ct. on part of Capitals created by Loans from 1793 to 1812	4,466,561	1	6¾			
Interest on Capitals purchased by the Comms. at £. 3 per cent.	5,496,396	19	6			
Ditto £. 4 per cent.	311,856	0	0			
Ditto £. 5 per cent.	7,100	0	0			
Ditto on Capitals transferred for Life Annuities, at £. 3 per cent.	51,108	16	4			
Returned from the Account of Life Annuities	649	19	3			
				11,665,264	14	2¾
Annual Appropriation towards Redemp. of part of Loan 1807	626,295	10	5	785,108	19	0
Interest on Capital purchased at £. 3 per cent.	158,853	8	7			
				12,450,373	13	2¾
Deduct, set apart from Sinking Fund for payment of Life Anns.	-	-		118,924	7	9
IRELAND.				12,331,449	5	5¾
£ 1 per cent. on Capitals created by Loans from 1797 to 1812	640,711	14	0			
Interest on Capital purchased at £. 3 per cent.	283,892	9	8			
				924,604	3	8
IMPERIAL.						
£. 1 per cent. on Capitals created by Loan 1797	36,693	0	0			
Interest on Capital purchased at £. 3 per cent.	37,497	13	8			
				74,190	13	8
PORTUGAL.						
Towards the Redemption of Capital created by Loan 1809	30,000	0	0			
Interest on Capital purchased at £ 3 per cent.	3,992	0	5			
				33,992	0	5
EAST INDIA COMPANY.						
Half a year's Appropriation towards the Redemption of Capital created by Loan 1812	-	-		27,705	0	0
Applied to the purchase of Stock	-	-		13,391,941	3	2¾
Ditto to the payment of Life Annuities	-	-		118,924	7	9
Gross Amount				13,510,865	10	11¾

APPENDIX (B.)—*Interest paid on* EXCHEQUER BILLS, *from the 5th of Jan.* 1812 *to the 5th Jan.* 1813.

Acts under which issued.			Funds chargeable with the Principal.	Interest. £.	s.	d.
48 Geo. III.	cap.	53.	To be paid off six months after Peace	90,000	0	0
50 Ditto	cap.	69.	Supplies 1811, £. 6,000,000	80,780	17	2
Ditto	cap.	113.	Ditto £. 3,000,000	95,143	3	7
51 Ditto	cap.	2.	Malt and Personal Estates, 1811	8,027	6	8
Ditto	cap.	3.	Supplies 1812, £. 10,500,000	516,814	17	5
Ditto	cap.	4.	Ditto £. 1,500,000	76,438	7	1
Ditto	cap.	53.	Ditto £. 6,000,000	251,222	17	9
Ditto	cap.	54.	Ditto £. 1,500,000	2,525	17	9
Ditto	cap.	85.	Ditto 1811	536,186	9	11
Ditto	cap.	112.	Ditto 1812 £. 3,000,000	118,337	7	6
52 Ditto	cap.	1.	Malt and Personal Estates, 1812	59,891	18	1
				£. 1,835,369	2	3

APPENDIX (C.)—*Charge upon the* CONSOLIDATED FUND, *in the Year ended the 5th Jan.* 1813; *exclusive of the Interest of the* PUBLIC DEBT, *and of the Payments upon* EXCHEQUER BILLS:—*Distinguishing the same under the several Heads of Civil List—Courts of Justice, &c.—Mint—other Salaries and Allowances—and Bounties, &c.*

CIVIL LIST.

	£.	s.	d.
FOR THE SUPPORT OF HIS MAJESTY'S HOUSEHOLD -	898,000	0	0
Ditto per Act 44 Geo. 3. - -	60,000	0	0
Ditto per Act 52 Geo. 3. - -	61,538	9	3
	1,019,538	9	3
COURTS OF JUSTICE, (See page xi.) - - - - -	73,758	17	10½
MINT, (See page xii.) - -	14,770	1	6
SALARIES AND ALLOWANCES, (See page xiii.) - - -	9,560	17	0
AUDITORS OF PUBLIC ACCOUNTS, (See page xiii.) -	56,250	3	3

PENSIONS.

	£.	s.	d.
Representatives of Arthur Onslow, Esq. - - - - -	3,000	0	0
Earl of Chatham - - -	4,000	0	0
Lord Heathfield - - -	1,500	0	0
Lord Rodney - - - -	2,000	0	0
Ditto - - - - - -	923	1	6
Lady Dorchester - - -	1,000	0	0
John Penn, Esq. - - -	3,000	0	0
Richard Penn, Esq. - -	1,000	0	0
H. R. H. the Prince of Wales	65,000	0	0
Ditto - Duke of York	14,000	0	0
Ditto - Ditto - - Clarence	12,000	0	0
Ditto - - Ditto - -	6,000	0	0
Ditto - Ditto - - Kent	12,000	0	0
Ditto - - Ditto - -	6,000	0	0
Ditto - Ditto - Cumberland	12,000	0	0
Ditto - - Ditto - -	6,000	0	0
Ditto - Ditto - - Sussex	12,000	0	0
Ditto - - Ditto - -	6,000	0	0
Ditto - Ditto - Cambridge	12,000	0	0
Ditto - - Ditto - -	6,000	0	0
Princess Charlotte of Wales -	7,000	0	0
Duchess of Brunswick - -	10,000	0	0
Duchess of York - - -	4,000	0	0
Duke of Gloucester - - -	14,000	0	0
Princess Sophia of Gloucester -	7,000	0	0
Duke of Brunswick - -	7,000	0	0
Princess Augusta Sophia - -	7,912	1	9½
Ditto Elizabeth - - - -	7,912	1	9
Ditto Mary - - - -	7,912	1	9
Ditto Sophia - - - - -	7,912	1	9
Earl St. Vincent - - -	2,000	0	0
Lord Duncan - - - -	2,000	0	0
Duke of Richmond - - -	6,333	6	8
Sir Beaumont Hotham, knt. -	2,000	0	0
Lord Erskine - - - - -	4,000	0	0
Sir Sydney Smith, knt. - -	1,000	0	0
Baroness Abercrombie - -	2,000	0	0
Lord Hutchinson - - - -	2,000	0	0
Sir James Saumarez, baronet -	1,200	0	0
For the House of Orange -	16,000	0	0
Lord Amherst - - -	3,000	0	0
Duke of Athol - - -	3,151	19	8
Sir Richard Strachan - -	1,000	0	0
Earl Nelson - - - -	5,000	0	0
Lady Nelson - - - -	2,000	0	0
Lady Collingwood - - -	1,000	0	0
Hon. Sarah Collingwood - -	500	0	0
Hon. Mary Patience Collingwood	500	0	0
Sir John Thomas Duckworth -	1,000	0	0
Duke of Grafton - - -	4,580	0	0
Sir John Stuart - - -	1,000	0	0
Lord Lake - - - - -	2,000	0	0
Marquis of Wellington - -	2,000	0	0
Ditto - - - - - -	2,000	0	0
Hon. Jane Perceval - -	1,302	3	11½
Spencer Perceval, Esq. - -	651	1	11¾
Sir Soulden Lawrence - -	1,208	15	9¾

BOUNTIES, &c.

	£.	s.	d.
For the Encouragement of the Growth of Hemp and Flax in Scotland - - - - -	2,956	13	8
Compensations to Persons suffering under the Dock Act -	16,058	7	10
Salaries, &c. in the Office of Commissioners appointed per said Act - - - -	3,000	0	0
Dean and Chapter of Westminster; for Rent of Premises demised to the Commissioners of Woods per Act 50 Geo. III. cap. 119 - - - -	419	11	2
Ditto - - - - - -	105	3	9
Right Hon. Charles Abbot, et al. for Marquis of Wellington, per Act 52 Geo. III. - -	100,000	0	0
Ditto Interest on £. 100,000 from 22d July to 10th Oct. 1812 -	2,280	18	6½
Ditto for the Children of the late Right Hon. Spencer Perceval, Interest on £. 50,000 granted per Act 52 Geo. III. from 11th May to 9th July 1812 - - - - - -	403	10	4¾
	£. 1,635,601	10	10

APPENDIX (D.)—*A List of all such Sum and Sums of Money as have been incurred, and become due upon His Majesty's Establishment for* Civil Affairs *within* Scotland, *bearing Date the* 19*th Day of June* 1761; *for one Year, from* 5*th Jan.* 1812 *inclusive, to* 5*th Jan.* 1813, *exclusive* .... £. 112,748 2 7

APPENDIX (E. 1, 2, and 4.)—*Amount of* Bounties *paid in England and Scotland out of the Revenues of Customs and Excise, between the 5th Jan.* 1812 *and the 5th Jan.* 1813; *being Payments in the Nature of Anticipations of Exchequer Issues.*

	ENGLAND.			SCOTLAND.			GREAT BRITAIN.		
CUSTOMS.	£.	s.	d.	£.	s.	d.			
Year ending 5th January 1813	276,209	7	1	76,625	11	2½	352,834	18	3½
The same out of EXCISE.									
Paid in the Year ended 5th January 1813	-	-		10,747	7	5½	10,747	7	5½
	276,209	7	1	87,372	18	8	363,582	5	9

APPENDIX (E. 3.)—Excise.—*An Account of the Monies paid out of the Receipt of the Excise in England, in the Year ended 5th Jan.* 1813.

		£.	s.	d.
PENSIONS, viz. 6th Head				
	Duke of Grafton	9,000	0	0
	Earl Cowper...............	2,000	0	0
	Charles Boone, Moiety of the Earl of Bath's	1,500	0	0
	Lord Melbourne's	1,500	0	0
BOUNTIES.		14,000	0	0
	On Salted Provisions exported, White Herrings taken, and Tonnage in the White Herring Fishery	25,851	4	5¾
		£. 39,851	4	5¾

APPENDIX (E. 5.)—*Pensions paid by Parliamentary* Grants, *out of the* Post Office *Revenues, in the Year ended 5th Jan.* 1813.

His Grace the Duke of Marlborough	£. 5,000
His Grace the Duke of Grafton	4,700
The Heirs of the late Duke of Schomberg	4,000
	£. 13,700

APPENDIX (E. 6.)—*Sums advanced by the Receivers General of Land and Assessed Taxes, on Account of* Militia *and* Deserters Warrants, *and other Disbursements under various Acts of Parliament; in the Year ended 5th Jan.* 1813.

	ENGLAND & WALES.			SCOTLAND.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Militia and Deserters Warrants	87,160	19	3¼	19,416	1	1¼	106,577	0	4½
Volunteers	16,814	7	1	1,528	10	10	18,342	17	11
Defence Acts	1,171	4	1	703	17	11½	1,875	2	0½
Army of Reserve	11,780	0	11¼	5,977	2	7½	17,757	3	6¾
Population Act	-	-		1,975	3	7½	1,975	3	7½
Augmentation of Stipends to Scotch Clergy (50th Geo. III. cap. 84.)	-	-		19,014	10	11¾	19,014	10	11¾
	116,926	11	4½	48,615	7	1½	165,541	18	6

APPENDIX (F.)—NAVY OFFICE —*Monies received from the Exchequer for* NAVAL SERVICES, *between the 5th Jan.* 1812, *and the 5th Jan.* 1813.

HEADS OF SERVICE.	SUM. £.	s.	d.	TOTAL. £.	s.	d.
NAVY.						
WAGES.						
Wages to Officers and Seamen	2,976,000	0	0			
Half pay to Sea Officers, and Bounty to Chaplains	332,000	0	0			
Wages to his Majesty's Dock and Rope Yards	1,264,000	0	0			
GENERAL SERVICES, viz.						
Bills of Exchange, Imprests, Salaries, Pensions, Marines, &c.	1,628,000	0	0			
Building of Ships, purchase of Stores of every description, repairing Ships, purchase of Ships taken from the Enemy, Head Money, &c. paid in Bills at ninety days date	4,805,529	2	5	11,005,529	2	5
VICTUALLING.						
Provisions and all Sorts of Victualling Stores, paid for in Bills at ninety days date	4,371,434	2	9			
Widows Pensions	43,747	6	9			
Bills of Exchange	950,000	0	0			
General Services, viz. Necessary and Extra Necessary Money and Contingencies	337,000	0	0	5,702,181	9	6
TRANSPORTS.						
Freight of Transports, Maintenance of Prisoners of War, and Expence of sick and wounded Seamen, paid for in Bills at ninety days date	3,358,628	15	1			
Bills of Exchange, and all Services paid for in ready Money	434,000	0	0	3,792,628	15	1
			£.	20,500,339	7	0

APPENDIX (G.)—*Monies paid by the Office of* ORDNANCE *in the Year* 1812, *for Services Abroad and at Home.*

	£.	s.	d.
For Services at Home	4,451,060	4	11
For Services Abroad	660,021	17	9
	5,111,082	2	8
	*858,672	6	9
	£.4,252,409	15	11

* The Sum of £.858,672 6*s.* 9*d.* being the value of Stores supplied by the Board of Ordnance to Foreign Powers, the Expense of which it is usual to reimburse to the Ordnance Department by the Paymaster General under Warrants of the Treasury, should be deducted from this Account, the same being also included in Appendix H. and I., leaving the Expenditure of the Ordnance Department £. 4,252,409 15*s.* 11*d.*

APPENDIX (H.)—*Monies paid by the Right Honourable the Paymaster General of his Majesty's* Forces, *from 25th Dec.* 1811, *to 24th Dec.* 1812.

		£.	s.	d.
Pay and Allowances of the Forces at Home (including Foreign Corps and Militia) Captains Allowances, Clothing, Recruiting and Contingencies		5,937,638	6	11
Staff and Garrisons		195,756	18	4
Public Offices (including Superannuation Allowances)		164,001	16	10
Bills drawn by Deputy Paymasters abroad, on account of the above Services		3,459,650	7	5
Clothing for Veteran Battalions		15,453	18	1
Pay, &c. of Recruiting Troops of Regiments serving in India		27,783	19	0
Local Militia	720,078 0 0			
Ditto - - excess beyond the Vote (to be included in the Account of Extraordinaries)	19,072 0 0			
		739,150	0	0
Pay of Supernumerary Officers		29,974	0	0
Exchequer Fees		134,385	19	7
Half Pay and Military Allowances		172,199	13	8
In and Out Pensioners of Chelsea Hospital		456,450	15	4
Widows Pensions		39,873	0	1
Compassionate List		16,747	0	0
Volunteer Corps		181,962	10	0
Allowance to retired Chaplains		19,786	13	4
Medicines and Hospital Expences		91,960	14	9
Barrack Department		423,769	4	9
Commissariat Department	1,396,446 17 0			
Ditto - - excess beyond Vote (to be included in Account of Extraordinaries)	1,044,553 0 0			
		2,440,999	17	0
Ditto - - for purchase of Specie to be remitted abroad (to be included in Ditto		813,648	18	8
Bât, Baggage, &c.		10,325	12	6
Miscellaneous Payments		10,530	9	1
* Extraordinaries		12,520,841	0	0
Portuguese Subsidy		2,000,000	0	0
Sicilian Ditto		400,000	0	0
		30,302,890	15	4

The Sum of £. 2,682,000 has also been paid by the Paymaster General, in discharge of Bills of Exchange drawn by the Treasury of Ireland, on account of the Irish Loan.

* The Sum paid for Extraordinaries, includes advances of Specie made by the Commissary General in the Peninsula for Pay of the Forces, and Provisions issued to the said Forces, for which credit will be given at the foot of the Account of Extraordinaries for 1812.

Note.—The Sum of £. 5,315,528 3*s.* 7¾*d.* being the amount of Remittances and Advances to other Countries, should be deducted from this Account, the same being included in this Account as well as in Account Appendix I. The Expenditure of the Army will then be £. 24,987,362 11*s.* 8¼*d.*

APPENDIX (I.)—*An Account of* LOANS, REMITTANCES, *and* ADVANCES, *to other Countries, in the Year ended 5th Jan.* 1813.

IRELAND.	£.	s.	d.	£.	s.	d.	£.	s.	d.
On Account of Loan 1811 - -	-	-		700,000	0	0			
Ditto - - 1812 - -	-	-		2,072,000	0	0			
On Account of Lotteries 1811 - -	-	-		116,500	0	0			
							2,888,500	0	0
SICILY.									
To complete the Subsidy granted 1811 -	200,000	0	0						
In part of the Subsidy granted 1812 -	200,000	0	0						
				400,000	0	0			
PORTUGAL.									
To complete the Sum granted for Portuguese Troops 1811 - - - -	167,831	15	2						
Ditto - - 1812, including the Value of Arms, &c. furnished by the Board of Ordnance, amounting to £. 146,550 4*s*. 6*d*. and the Value of Stores, &c. furnished by the Commissary in Chief	2,000,000	0	0						
To complete the Sum granted 1811, for the Relief of the Inhabitants of Portugal - - - - - - -	60,444	14	8						
				2,228,276	9	10			
SPAIN.									
Estimated Value of Advances, under the Direction of his Majesty's Minister at Cadiz - - - - - - -	1,000,000	0	0						
Value of Arms and Stores supplied by the Board of Ordnance - - - -	424,494	9	11						
Ditto - - Clothing, &c. by the Commissary in Chief and Storekeeper General -	652,740	0	0						
Ditto - - Provisions by the Commissioners of Victualling - - - - -	15,091	6	7¾						
				2,092,325	16	6¾			
SWEDEN.									
Amount of Bills drawn from Sweden -	178,289	15	5						
Advances to the Agents of the Swedish Government in this Country - -	100,002	2	0						
Value of Articles supplied by the Commissary in Chief - - - -	28,444	7	0						
				306,736	4	5			
RUSSIA.									
Value of Arms, &c. supplied by the Board of Ordnance - - - -	285,675	9	9						
Ditto - - Bark supplied by the Commissary in Chief - - - - -	562	0	6						
				286,237	10	3			
EMPEROR OF MOROCCO.									
Value of Arms and Stores supplied by the Ordnance Department - - -	-	-		1,952	2	7			
							*5,315,528	3	7¾
				Total - - £.			8,204,028	3	7¾

* N. B. It being the practice to repay to the Ordnance and to other Departments, who furnish any Supplies for Foreign Powers, the Value of those Supplies by Warrants upon the Paymaster General; the whole of this Expenditure is also included in the Account of Monies paid by that Officer, Appendix H.; and the said Sum of £.5,315,528 3*s*. 7¾*d*. must therefore be deducted therefrom.

The Total Value of Arms and Stores supplied by the Ordnance Department is £. 858,672 6*s*. 9*d*.; which Sum is deducted from Appendix G. in which the Expenditure for these Arms, &c. is also included.

APPENDIX (K 1.).—*An Account, shewing how the Monies remaining in the Receipt of the* EXCHEQUER *on the 5th day of Jan.* 1812, *together with the Monies paid into the same during the Year ended the 5th day of Jan.* 1813, *have been actually applied ; so far as relates to* MISCELLANEOUS SERVICES.

SERVICES AT HOME.	*£.*	*s.*	*d.*
To the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy 1812	100,000	0	0
For defraying the Charge of the Royal Military College 1811, 12	30,536	0	6
Ditto Royal Military Asylum 1811, 12	29,292	7	5
Ditto Royal Naval Asylum 1812	23,487	7	10
Ditto the expense of the erection of the Royal Military College at Sandhurst 1811, 12	126,000	0	0
For carrying on the building of a new Mint 1811	5,079	9	4
Towards defraying a balance due on account of the Bills for all the Fittings, Fixtures and Utensils provided for additional Works at the new Mint 1812	10,000	0	0
To complete the Expense of Machinery for the new Mint 1811, 12	6,950	7	0
To defray the Expense of making a Tunnel at the new Mint 1811	2,500	0	0
Towards defraying the Expense of completing the new Marshalsea Prison 1810	3,500	0	0
For defraying the Expense of Works at the two Houses of Parliament 1811	7,100	0	0
For defraying the Expence of Works at the Royal Vault and Chapel House at Windsor 1811	6,000	0	0
Towards the building of the New Hospital of Bethlem in St. George's Fields 1811, 12	23,585	0	0
Towards defraying the Expences of the repair of Henry the Seventh's Chapel 1812	4,699	4	4
Towards making Roads and building Bridges in the Highlands of Scotland 1811	20,000	0	0
For defraying the Expence of making an Inland Navigation from the Eastern to the Western Sea 1811, 12	70,000	0	0
For defraying the Charge of the Works and Repairs of the Military Roads in North Britain 1812	5,894	18	4
For the Improvement of Holyhead Harbour 1812	5,000	0	0
Towards defraying half the Charge of erecting a Bridge over the Eden at Carlisle, 1812	5,028	10	0
For improvements of Streets and Places near to Westminster Hall 1812	4,436	0	1
To pay Salaries to certain Officers of the two Houses of Parliament 1811, 12	1,880	0	0
For defraying extraordinary Expences incurred for Prosecutions, &c. relating to the Coin, 1811, 12	5,500	0	0
For defraying the Expense of Law Charges 1811, 12	25,000	0	0
For defraying the Expense of confining, maintaining, and employing Convicts at Home 1812	48,967	19	3
For defraying the Expense of the Public Office, Bow-street 1811, 12	11,350	16	8
For defraying the Charge of the Superintendence of Aliens 1811, 12	9,909	12	0
For defraying Expences incident to the two Houses of Parliament 1811, 12	4,515	10	0
To be paid to Sheriffs for Conviction of Felons and Overpayments 1811, 12	12,500	0	0
For the Board of Agriculture 1812	5,500	0	0
For defraying the extra Charge for Contingencies of the three Secretaries of State 1811, 12	9,000	0	0
For defraying the extra Charge for Messengers of Ditto 1811, 12	9,000	0	0
For Compensation to the Commissioners appointed to enquire into the Public Expenditure in certain Military Departments 1812	7,734	4	10½
To defray the Expense of the National Vaccine Establishment 1812	3,000	0	0
Towards defraying the Expense of the Veterinary College 1811	1,000	0	0
For enabling the Trustees of the British Museum to carry on the Trusts reposed in them by Parliament 1812	7,405	12	11
To the same to enable them to proceed in making purchases for improving the Collection of printed Books respecting the British Islands, &c. 1812	1,000	0	0
For defraying the Charge of printing for the House of Lords 1811	19,483	1	8
For defraying the Charge of printing the 62d Volume of the Journals of the House of Commons 1810	3,500	0	0
For Ditto 1811 63d Ditto	3,620	12	6
For defraying the Expense of printing the Votes of the House of Commons, 1812	2,000	0	0
For defraying the Charge of printing Bills, Reports, and other Papers, by Order of the House of Commons 1811	16,000	0	0
For defraying the Expense of printing incurred by Order of the Commissioners on the Public Records 1812	6,910	14	9
For defraying the Charge of printing the 43d 44th and 45th Volumes of the Journals of the House of Lords 1812	4,530	2	7
For defraying the Expense of reprinting the Journals of the House of Commons 1811	6,000	0	0
For defraying the Charge of Stationary for the two Houses of Parliament 1811, 12	3,662	15	6
To the Usher of the Court of Exchequer, for supplying Stationary to the Court and Officers, and for keeping the Court in repair, and for the usual and accustomed Fees 1811, 12	2,182	3	0

	£	s.	d.
For making good the deficiency of the Grant 1811, for the Expense of Prosecutions relating to the Coin 1812	94	12	11
To make good the deficiency of the Grant 1810, for printing the 62d Volume of the Journals of the House of Commons 1812	374	0	8
To Ditto for printing Bills, Reports, and other Papers 1812	4,467	6	6
To Ditto of Grants 1811, for reprinting two Volumes Journals 1812	2,488	0	0
For the Relief of Poor French Refugee Laity and Clergy 1812	6,240	5	0
For the Relief of the suffering Clergy and Laity of France, Toulonese, Dutch, and Corsican Emigrants, Saint Domingo Sufferers, and American Loyalists 1811, 12	166,852	2	0
For the Protestant Dissenting Ministers in England and Ireland 1812	2,500	0	0
For small Charitable and other Allowances to the Poor of Saint Martin in the Fields, et alia, 1811, 12	1,328	5	4
To pay Superannuation Allowance to Mr. Pingo, formerly Assistant Engraver in his Majesty's Mint 1812	60	0	0
Ditto to Mr. Royer, formerly a Clerk in the Lottery Office	170	0	0
Ditto to Mr Planta, formerly one of the Paymasters of Exchequer Bills	410	4	6
Ditto to two retired Clerks in the Audit Office	320	0	0
To his Royal Highness the Prince Regent, the Expenses incurred by him in consequence of the assumption of the Personal Exercise of the Royal Authority	100,000	0	0
For defraying Captain Manby's Allowance and Travelling Expenses in carrying into execution his Plan for saving the lives of Shipwrecked Mariners 1812	279	11	0
For further remuneration to Mr. Greathead, Inventor of the Life Boat 1812	650	0	0
To Mr. Crompton for the invention of the Machine called the Mule 1812	5,000	0	0
To the Trustees, for the use of the twelve Children of the late Right Honourable Spencer Perceval 1812	50,000	0	0
For paying off certain Annuities after the rate of £. 5 per cent. per annum, being part of the Annuities granted by Acts 37 and 42 Geo. 3, 1812	100,292	8	10
To pay Bills drawn for the Relief of French Emigrants resident in the Islands of Jersey and Guernsey 1811, 12	4,954	12	0
For the Salaries to the Officers, and Incidental Expenses in preparing and drawing the Lotteries 1811 and 1812	17,250	0	0
To the Chief Clerk in the Office of the Auditor of the Exchequer, for his extra trouble in preparing Exchequer Bills pursuant to the Act of 48 Geo. 3, 1811, 12	500	0	0
For Salaries to the Officers, and Incidental Expenses of the Commissioners for reducing the National Debt 1811, 12	4,000	0	0
For Incidental Expenses attending the Acts for the Redemption of the Land Tax, 1811	1,516	7	11
For the Salaries and Expences of the American Commissioners 1811, 12	310	0	0
To the Bank of England, for management on Life Annuities 1812	462	7	0¾
Ditto for discount on prompt Payments on Loan £. 12,000,000 1811	65,156	11	1
Ditto on Loan £. 6,789,625, 1812	140,849	18	3
Ditto for receiving Loan £. 12,000,000, 1811	9,600	0	0
Ditto £. 6,789,625, 1812	5,431	14	0
Ditto discount on Lotteries 1811	2,962	2	4
Ditto for receiving Ditto	4,000	0	0

To replace to his Majesty's Civil List, the Sums issued thereout, for the following Services ; viz.

	£	s.	d.
To Sir John Colpoys, Treasurer of Greenwich Hospital, in part payment of the Fees charged on the receipt of £. 300,000 granted by Parliament to be distributed amongst the Officers and Seamen who served in the Battle of Trafalgar	419	3	0
To Edward Walmisley, Esq. for preparing the 40th and 41st Volumes of the Journals of the House of Lords to be printed, and correcting the Press	244	16	6
To George Dickens and John Church, Esqrs. for Stationary sent to New South Wales	199	13	5
To Thomas Nicholas Wittwer, Esq. for his trouble in examining East India Accounts, for one year, to 7th Sept. 1810	426	12	0
To William Chinnery, Esq. for Stores supplied by the Ship Hindostan at New South Wales	173	12	10
To the Magistrates of the Thames Police Office, further Expenses incurred in carrying into effect a Plan for the better security of the Shipping in the Port of London	949	19	0
To James Read, Esq. to defray the Expenses of the Establishment of the Horse Patrol, for the better Security of the Public Roads leading to the Metropolis, three quarters of a year to 10th October 1811	4,640	11	0
To Peter Grant, Esq. Secretary to the Commissioners of Military Enquiry, for defraying the Expences of the said Commissioners in carrying the Act into execution	1,453	14	0
To Edward Walmisley, Esq. for preparing the 42d Volume of the Lords Journals for the Press	126	10	6
To William Chinnery, Esq. to pay Messrs. Gurneys for Expenses on Committees of the Houses of Parliament in Session 1810 and 1811	842	9	3
To John Whidby, Esq. as a Compensation for his Services, and in Reimbursement of Expenses incurred in surveying Ardrossan Harbour	118	0	6
To Dr. Thomas Brooke Clarke, for arranging the Returns of the Non-resident Clergy, for half a year ended 5th July 1811	271	11	0

To William Watson, Esq. Serjeant at Arms to the House of Lords, for his Services during Session 1811	1,582	8	6
To John Clementson, Esq. as Deputy Serjeant at Arms to the House of Commons, one year's Rent of a House in lieu of Apartments he resigned at the House of Commons, due Midsummer last	219	14	0
To Thomas Telford, Esq. Reimbursement of Expenses incurred in making Surveys, &c. for the Holyhead and Port Patrick Roads	2,546	5	11
To George Saunders, Esq to discharge outstanding Demands for Works done at the Fleet and King's Bench Prisons	2,604	17	2½
To Lord Walsingham, for his Services as Chairman of the Committee of the House of Peers during Session 1811	2,631	4	6
To Thomas Brodie, Esq. forming an Index to the Journals of the House of Peers, and for Salaries paid by him, and other incidental Expenses for one year to 5th January 1811	1,685	2	0
To Edward Stracey, Esq. for his Services attending as Counsel upon the Chairman of the Committees of the House of Peers during the Session 1811	1,582	9	0
To John France, Esq. for his assistance in forming an Index to the Rolls of Parliament	428	15	0
To Thomas James Mathias, Esq. to enable him to pay Bills drawn on the late Richard Cumberland, Esq. as Agent for Nova Scotia	391	11	0
To Thomas Morton, Esq. and others, (the African Committee) to be by them employed in repairing, maintaining and supporting the British Forts and Settlements on the Coast of Africa	10,000	0	0
To William Chinnery, Esq. to pay Bills drawn by the Collector of the Customs at Antigua, for Expenses attending the Care and Support of a Cargo of captured Negroes	864	12	7½
To Matthew Martin, Esq. towards carrying into effect a plan for enquiring into the state of the Mendicity of the Metropolis	500	0	0
To the Representatives of the Right Honourable Charles Fulke Greville, in Reimbursement of Fees paid by them on the receipt of the Sum voted by Parliament, for the Purchase of his Collection of Minerals	354	10	0
To Benjamin Easton, Esq. to discharge Fees on passing Public Accounts	2,000	0	0
For defraying Charges heretofore paid out of the Proceeds of Old Stores	6,785	15	3
To make good the Sum issued pursuant to Addresses	22,316	19	0

SERVICES ABROAD.

To defray the Charge of his Majesty's Foreign and other Secret Services 1811, 12	137,489	16	0
For defraying the Charge of African Forts 1812	25,000	0	0
Towards rebuilding the public Edifices at Trinidad, destroyed by Fire 1811	22,000	0	0
For paying Bills drawn from Sicily for the Relief of Toulonese and Corsican Emigrants, 1811, 12	4,000	0	0
For paying Bills drawn on account of Dutch Allowanced Officers 1811	8,528	13	0
To pay Bills drawn from New South Wales 1812	48,000	0	0
For the Civil Establishment of Bahamas 1811, 12	2,400	0	0
Bermuda	886	17	1¼
Dominica	541	0	8¾
Upper Canada	7,450	0	0
Nova Scotia 1812	10,500	0	0
New Brunswick	5,600	0	0
Cape Breton	2,060	0	0
Saint John	2,700	0	0
Newfoundland	3,500	0	0
New South Wales	13,308	15	0
Total	£. 1,779,089	3	9¼

APPENDIX (K. 2.)—*Monies issued in the Year ended 5th Jan.* 1813, *to the* EAST INDIA COMPANY, *on account of the Loan of* £. 2,500,000 *raised for the Service of the Company by the Act* 52 *Geo.* 3, *Cap.* 85.. £. 2,498,000 0 0

Mem.—The Sum of £. 2,000 was reserved in pursuance of the said Act, for Payment to the Bank for receiving Contributions to the said Loan.

APPENDIX (K. 3.)—*Monies issued from the Exchequer in the Year ending the 5th Jan.* 1813. *on account of the Commercial Exchequer Bills, authorised to be issued per Act* 51 *Geo.* 3, *cap.* 15.

Issued in Payment of the Principal and Interest of the said Bills, and for Expenses of Management	1,375,141	16	7

VI.—PUBLIC FUNDED DEBT.

An Account of the Progress made in the Redemption of the Public Debt *of* Ireland, *Funded in* Great Britain, *at 1st February* 1813.

FUNDS.	CAPITALS. £.	s.	d.	Redeemed by the Commissioners at the 1st Feb. 1813. £.	TOTAL SUMS paid. £.	s.	d.	Average Price of Stocks	SUMS annually applicable to the Reduction of the DEBT.	£.	s.	d.
Consolidated 3 per ct. Annuit.	33,235,125	0	0	5,148,221	3,250,021	12	5	63⅛	Annuity of 1 per ct. on Capitals created since 1797 ...	698,131	13	8
Reduced do......	30,068,750	0	0	5,505,278	3,445,872	17	9	62½	Dividend on £.10,653,499 3 per cent....	319,604	19	4
Consolidated 4 per ct. Annuit.	5,054,375	0	0									
Do 5 per cent. do.	572,000	0	0									
	68,930,250	0	0	10,653,499	6,695,894	10	2	62⅞		1,017,736	13	0
Redeemed by the Commissioners.	10,653,499	0	0									
Debt Unredeemed 1st Feb. 1813	58,276,751	0	0						Bank Long Annuities which will expire 5th July 1860 ...	104,083	6	8

Progress made in the Redemption of the Imperial Debt, *at 1st February* 1813.

FUNDS.	CAPITALS. £.	s.	d.	Redeemed by the Commissioners at the 1st Feb. 1813. £.	TOTAL SUMS paid. £.	s.	d.	Average Price of Stocks	SUMS annually applicable to the Reduction of the DEBT.	£.	s.	d.
Imperial 3 per ct. Annuities	7,502,633	6	8	1,361,974	824,328	13	3	60½	1 per ct. on Capital created by Loan 1797.	36,693	0	0
Redeemed by the Commissioners.	1,361,974	0	0									
Unredeemed 1st Feb. 1813	6,140,659	6	8						Dividend on £. 1,361,974 3 per cent. Annuities ...	40,859	4	4
										77,552	4	4
									Imperial Annuities which will expire 1st May 1819 ...	230,000	0	0

Progress made in the Redemption of the Debt of Portugal, *at 1st February* 1813.

FUNDS.	CAPITALS. £.	s.	d.	Redeemed by the Commissioners at the 1st Feb. 1813. £.	TOTAL SUMS paid. £.	s.	d.	Average Price of Stocks	SUMS annually applicable to the Reduction of the DEBT.	£.	s.	d.
Reduced 3 per cent Annuities.	895,522	7	9	176,674	112,367	6	0	63⅝	Annual Appropriation	30,000	0	0
Redeemed by the Commissioners.	176,674	0	0									
Unredeemed 1st Feb. 1813	718,848	7	9						Dividend on £. 176,674 3 per cent. Annuities......	5,300	4	4
										35,300	4	4

An Account of the Progress made in the Redemption of the PUBLIC FUNDED DEBT *of* GREAT BRITAIN, *at the First of February* 1813.

FUNDS.	CAPITALS. £.	s.	d.	Redeemed by the Commissioners from 1st August 1786, to 1st Feb. 1813 £.	TOTAL SUMS paid. £.	s.	d.	Average Price of Stocks.
Consol. 3 per cent. Ann.	396,330,558	4	5¼	73,836,036	46,129,469	9	0	62½
...... Do. pro 1807.....	8,400,000	0	0	2,991,743	1,931,455	7	5	64½
Reduced 3 per ct. Ann.	197,528,522	0	1	112,528,679	69,765,320	17	6	61⅞
...... Do. pro 1807......	8,400,000	0	0	3,307,498	2,131,118	5	5	64⅜
Old South Sea Anns. New Do. .... }	24,065,084	13	11½	8,961,000	6,223,262	15	6	69½
3 per Cent...Do. 1751...	1,919,600	0	0	898,000	642,276	15	0	71½
Consol. 4 per Cent. Ann.	68,857,321	2	2	7,796,400	6,586,934	8	9	84½
...Do...5 per Cent. do...	90,930,254	13	7½	142,000	126,998	7	6	89⅜
...Do ..pro 1807........	1,272,000	0	0	—	—			
5 per Cent. Annuities 1797 & 1802	1,622,994	14	9	—	—			
3 per Cent....do. 1726..	1,000,000	0	0	—	—			
...Do.... Bank Ann......	11,686,800	0	0	—	—			
£.	812,013,135	9	0¼	210,461,356	133,536,836	6	1	62⅝
Transferred to the Commissioners by reason of Land Tax Redeemed...	24,378,804	13	9					
	787,634,330	15	3¼					
Do....for the Purchase of Life Annuities by Act 48th Geo. 3.........	1,961,582	0	0					
	785,672,748	15	3¼					
Redeemed by the Commissioners.........	210 461,356	0	0					
DEBT Unredeemed at 1st February 1813 ...	575,211,392	15	3¼					

SUMS Annually applicable to the Reduction of the NATIONAL DEBT.	£.	s.	d.
Annual Charge, per 26 G. 3	1,000,000	0	0
......Do.............. 42 do...	200,000	0	0
Anns. for 99 & 96 Y. ex. 1792	54,880	14	6
Do. for 10 Years... do. 1787	25,000	0	0
Life Annuities Unclaimed for 3 Years, 5th Jan. 1813	30,135	2	0
... ..Do...... of which the Nominees shall have died prior to the 5th July 1802.	21,141	6	1
Dividend on £.196,223,715 at 3 per cent.	5,886,711	9	0
......Do... on £. 7,796,400 at 4 per cent.	311,856	0	0
......Do...... on £. 142,000 at 5 per cent.	7,100	0	0
Annuity of 1 per cent on part of Capitals created since 1st Feb. 1793 to 1813	4,738,682	9	3
Annual Amount payable for Reduction of £.12,000,000 pro 1807	626,255	10	5
Dividend on £. 6,299,241 3 per cent. on do.	188,977	4	7
......Do... on £. 1,961,582 3 per cent. transferred for Purchase of Life Annuities	58,847	9	2
	13,149,587	5	0
Deduct Life Annuities granted on £. 1,961,582 transferred to the Commissioners	135,673	4	0
	13,013,914	1	0

ANNUITIES Fallen in since the 22d June 1802, or that will fall in hereafter.	£.	s.	d.
Exchequer Annuities, 2d and 3d Anne, expired 5th April 1803.	23,369	13	4
Do...do. 5th Jan. 1805	7,030	6	8
Do. 4 Anne do. 5th April	23,254	11	6
Do. 5 Anne do. 5th April 1806	7,776	10	0
Do. 6 Anne do. 5th April 1807	4,710	10	0
Do. 6 Anne do. 5th July 1807	10,181	0	0
Bank Short Annuities, 5th Jan. 1808	418,333	0	11
Do. Long do. will expire 5th July 1860 ...	1,140,602	12	0½

By an Act 42 Geo. 3. cap. 71. such Annuities as fall in after passing that Act are not to be placed to the account of the Commissioners for the Reduction of the National Debt.

An Account of the PUBLIC FUNDED DEBT *of* GREAT BRITAIN, *as the same stood on the 1st of February* 1813.

TOTAL DEBT UNREDEEMED.	£.	s.	d.	£.	s.	d.
At 3 per cent.						
Bank of England, and Annuities 1726	12,686,800	0	0			
South Sea Old and New Annuities, 1751	16,125,684	13	11½			
Consolidated Annuities	347,841,115	6	6¼			
Reduced Annuities	103,323,505	18	8			
At 4 per Cent.						
Consolidated Annuities	66,115,296	2	2			
At 5 per Cent.						
Consolidated Annuities	92,632,254	13	7½			
Annuities 1797 and 1802	1,622,994	14	9			
TOTAL CAPITALS				640,347,651	9	8¼
Annual Interest	21,755,987	10	4			
Annuities for Lives or for Terms of Years	1,540,257	19	1¾			
Charges of Management	238,952	15	0¼			
Annuities fallen in or dead; grants by Parliament and Annuities of 1 per cent. on part of Capitals created since 5th January 1793	14,258,207	6	7			
Total CHARGE for DEBT payable in GREAT BRITAIN				37,793,405	11	1

VII.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT *and* DEMANDS OUTSTANDING *on the 5th Day of January* 1813.

	Amount Outstanding.					
	£.	s.	d.	£.	s.	d.
EXCHEQUER.						
Exchequer Bills provided for	25,406,400	0	0			
.........Do...... unprovided for	20,000,000	0	0	45,406,400	0	0
TREASURY.						
Miscellaneous Services	414,532	14	11¾			
Warrants for Army Services	313,895	18	5			
Treasury Bills	1,245,609	0	0	1,974,037	13	4¾
Army	-	-	-	1,507,580	12	5
Barracks	-	-	-	246,213	3	8
Ordnance	-	-	-	900,360	8	10
Navy	-	-	-	7,748,872	9	1
Civil List Advances	-	-	-	55,232	1	5¼
				57,838,696	8	10

VIII.—DISPOSITION OF GRANTS.

An Account shewing how the MONIES, *given for the* SERVICE *of the Year* 1812, *have been disposed of; so far as relates to* GREAT BRITAIN.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.			Remains to be Paid.		
	£.	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*
Navy	19,702,399	2	3	18,880,428	14	1	821,970	8	2
Ordnance	4,804,931	1	10	4,090,000	0	0	714,931	1	10
Forces	21,796,293	15	10	21,796,293	15	10			
Vote of Credit	3,000,000	0	0	3,000,000	0	0			
Ditto for Portugal	2,000,000	0	0	2,000,000	0	0			
Ditto Sicily	400,000	0	0	400,000	0	0			
For the purchase of Quarries, and to carry on the Works in Plymouth Sound, in order to form a Breakwater	80,000	0	0	-		-	80,000	0	0
To make good the like Sum which has been issued by his Majesty's Orders, pursuant to Addresses of the House of Commons, and which has not been made good by Parliament	24,853	16	0	24,853	16	0			
Civil Establishments	2,469,446	13	9½	2,326,602	17	3¼	142,843	16	6¼
To make good Sums, which have been issued at the Receipt of the Exchequer out of his Majesty's Civil List Revenues	76,813	1	1½	76,813	1	1½			
Services paid without Fee or Deduction	3,174,954	8	0½	3,099,106	7	0½	75,848	1	0
	57,529,691	18	10½	55,694,098	11	4¼	1,835,593	7	6¼

Payments for other Services, not being part of the Supplies granted for the Services of the Year .... £. 475,386 5 2¾

WAYS *and* MEANS *for answering the foregoing* SERVICES.

	£.	*s.*	*d.*
Duties on Malt, Sugar, Tobacco and Snuff, and on Pensions, Offices, &c. continued	3,000,000	0	0
Estimated Surplus of the Consolidated Fund, to 5th April 1813	3,600,000	0	0
War Taxes	20,400,000	0	0
Estimated Profits of Lotteries	230,000	0	0
Loan per Act 52 Geo. 3. cap. 24	6,789,625	0	0
Ditto per Act 52 Geo. 3. cap. 85, part of £. 22,500,000, the remainder £. 4,350,000, being for the Service of Ireland, and £. 2,500,000, for the East India Company	15,650,000	0	0
Monies arisen from the Sale of Old Naval and Victualling Stores	441,218	0	0
War Taxes, 1811, being part of the amount of Exchequer Bills charged on the Aids of that Year, subscribed to be funded pursuant to Act 52 Geo. 3, cap. 14	2,209,626	0	0
Exchequer Bills on Vote of Credit	3,000,000	0	0
Repayment by East India Company, in part of £. 1,500,000, issued for their Relief by virtue of the Act 53 Geo. 3. cap. 114	88,000	0	0
	55,408,469	0	0
Total Sum granted, as per preceding Account	57,529,691	18	10½
Paid for Services not voted as per ditto	475,386	5	2¾
	58,005,078	4	1¼
Amount of Ways and Means, as above	55,408,469	0	0
Deficiency of Ways and Means	2,596,609	4	1¼

Note.—When the Proportion of Ireland's contribution of 2-17ths to the General Expenditure of the United Kingdom, shall be ascertained, it will be applied in Aid of this Deficiency.

I.—PUBLIC INCOME OF IRELAND:

FOR THE YEAR ENDING FIFTH JANUARY, 1813.

An Account of the Ordinary Revenues *and* Extraordinary Resources *constituting the* Public Income *of* Ireland.

HEADS OF REVENUE.	GROSS RECEIPT: Total Receipt to be accounted for.			Drawbacks, Discounts, Charges of Management, &c. paid out of the Gross Revenues.			NET PRODUCE applicable to National Objects, and the Payments into the Exchequer.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
CUSTOMS	2,898,565	9	0⅜	497,005	13	0⅞	2,401,559	15	11½
EXCISE	3,242,357	18	0⅛	407,936	17	0½	2,834,421	0	11⅝
STAMPS	910,342	14	10¾	60,105	9	1¼	850,237	5	9½
POST OFFICE	238,879	10	9	122,282	5	6	116,597	5	3
Poundage Fees	25,606	11	2¼	-	-		25,606	11	2¼
Pells Fees	5,121	5	10¼	-	-		5,121	5	10¼
Casualties	6,047	12	7¾	-	-		6,047	12	7¾
Total Ordinary Revenue	7,326,921	2	4½	1,087,330	4	8⅝	6,239,590	17	7⅞
Extraordinary Resources.									
From the Commissioners of the Navy in Great Britain, on account of Advances made by several Collectors in Ireland, for Seamen's Wages	65,279	18	11¼	-	-		65,279	18	11¼
From the Paymaster General of Great Britain, on account of Advances made by several Collectors in Ireland, for Half-pay to reduced Officers, Pensions to Officers Widows, &c. on the British Establishment	3,420	19	2¼	-	-		3,420	19	2¼
From Great Britain, being one-third of the Profit on the Lotteries for 1811	126,208	6	8	-	-		126,208	6	8
From several County Treasurers, per the Receiver General, on account of Advances made by the Treasury for improving Post Roads in Ireland	25,125	13	2½	-	-		25,125	13	2½
From several County Treasurers, per the Receiver General, on account of Advances for building Gaols	2,433	7	1	-	-		2,433	7	1
From Great Britain to complete £. 4,500,000 British, for the Public Service in Ireland, pursuant to 51 Geo. 3, ch. 49	2,094,646	19	2	-	-		2,094,646	19	2
Other Monies paid to the Public	7,318	18	2½	-	-		7,318	18	2½
Total Independent of the Loans	9,651,355	4	10	1,087,330	4	8⅝	8,564,025	0	1⅜
LOANS paid into the Exchequer, in the Year ended 5th January 1813	4,196,490	13	11½	-	-		4,196,490	13	11½
Total including Loans	13,847,845	18	9½	1,087,330	4	8⅝	12,760,515	14	0⅞
Appropriated Duties for Local Objects.									
Linen Manufacture	263	1	0	-	-		263	1	0
Improvement of Dublin	12,514	9	9	-	-		12,514	9	9
Repairs of the Royal Exchange and Commercial Buildings	2,621	15	2	-	-		2,621	15	2
Lagan Navigation	5,274	17	5¼	3,262	12	2	2,012	5	3¼
Inns of Court	1,993	6	8	-	-		1,993	6	8
Light Houses	36,689	17	8¼	-	-		36,689	17	8¼
Total Duties for Local Objects	59,357	7	8½	3,262	12	2	56,094	15	6½
GRAND TOTAL	13,907,203	6	6	1,090,592	16	10⅝	12,816,610	9	7⅜

II.—CONSOLIDATED FUND OF IRELAND.

Account of the CONSOLIDATED FUND *of* IRELAND, *for the Year ending the 5th of January* 1813.

	INCOME. £.	s.	d.
Balance on the Consolidated Fund remaining in the Exchequer, on the 5th January 1812	788,566	15	11½
Customs and Excise Duties, including Quit Rents and Payments on account of dismissed and deceased Collectors	4,098,821	15	2¼
Stamp Duties	679,284	10	11¾
Post Office Revenue	86,000	0	0
Poundage Fee	25,606	11	2¼
Pells Fee	5,121	5	10¼
	5,683,400	19	2
Repayments from Great Britain, for Advances for Seamens Wages, Half-pay to reduced Officers, Pensions to Officers Widows, &c. on the British Establishment	68,700	18	1½
On Account of Advances made for improving Post Roads, and building Gaols	21,639	3	10
Other Monies paid to the Public	13,366	10	10¼
EXTRAORDINARY RESOURCES.			
On Account of Loans	4,196,490	13	11½
From Great Britain, to complete £. 4,500,000 British, for the Public Service in Ireland, pursuant to 51st Geo. 3, ch. 49	2,094,646	19	2
On Exchequer Bills	1,735,127	15	6
From Great Britain, being one-third of the Profit on Lotteries for 1811	126,208	6	8
	13,939,581	7	3¼

	ACTUAL PAYMENTS. £.	s.	d.	CHARGE. £.	s.	d.
Interest on Funded Debt, including Annuities and Management	3,580,205	5	1	3,580,205	5	1
Interest on Unfunded Debt	96,196	5	9	96,209	8	8
Sinking Fund and Management	1,058,563	1	5¼	1,058,363	1	5¼
Principal of Debentures	-	-	-	2,225	0	0
Principal of Exchequer Bills	1,216,666	13	4	1,216,975	0	0
Lottery Prizes	72	0	0	25,999	0	0
Discount on prompt Payment of Loan Deposits, &c.	36,826	5	0	36,826	5	0
Inland Navigation	13,402	1	2¾	13,402	1	2¾
Board of First Fruits	5,895	16	5	5,895	16	5
Improving Post Roads	76,961	4	10	76,961	4	10
Balance due the Bank of Ireland on £. 200,000, advanced for Relief of Commercial Credit, pursuant to 51st Geo. 3, ch. 35.	18,461	2	2	18,461	2	2
On account of Balance due Great Britain, on joint Expenditure, to 5th January 1811	1,794,299	0	0	1,794,299	0	0
	7,897,548	15	3	7,926,022	4	10
Civil List	143,049	3	0¾	Unascertained.		
Pensions	86,237	1	1¼			
Permanent Parliament Payments	245,014	13	6¼			
Grants for Military purposes	3,723,426	10	6½			
Vote of Credit	33,531	9	1¼			
Grants for Civil purposes	451,100	6	1			
	12,579,907	18	8	Unascertained.		
SURPLUS of the Consolidated Fund on 5th Jan. 1813.	1,359,673	8	7¼			
	13,939,581	7	3¼			

III.—ARREARS AND BALANCES.

	£.	s.	d.
Balances due on the 5th of Jan. 1813, from deceased and dismissed Collectors of Customs	17,029	19	0¼
Ditto ....Ditto .... Excise	137,639	13	3⅜
Ditto ....Ditto .... Hearth Money Collectors	65,644	16	10

IV.—TRADE AND NAVIGATION.

Value of all IMPORTS *into, and of all* EXPORTS *from,* IRELAND, *for Three Years, ending the 5th of January,* 1813.

	OFFICIAL VALUE of IMPORTS.			OFFICIAL VALUE of Irish Produce and Manufactures Exported.			OFFICIAL VALUE of Foreign and Colonial Merchandize Exported.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Year ended 5th January 1811	6,564,578	8	0½	5,471,012	15	0¼	627,472	16	10½
1812	7,231,603	15	10¼	5,833,996	9	7½	256,415	4	9½
1813	8,820,359	16	1	6,463,744	13	1¼	404,424	11	10½

Note—The real Value of Irish Produce and Manufactures Exported in the Year ended the 5th of Jan. 1813, computed at the average Prices Current, amounted to £. 13,809,951 9 2¾

Number of VESSELS, *with the Amount of their* TONNAGE, *that were Built and Registered in the several Ports of* IRELAND, *for three Years.*

	VESSELS.	TONS.
Year ending 5th January 1811	21	1,331
1812	41	1,655
1813	50	1,952

Number of VESSELS, *with the Amount of their* TONNAGE, *and Number of* MEN *and* BOYS *usually employed in navigating the same, which belonged to the several Ports of* IRELAND *on the 30th September,* 1812.

VESSELS.	TONNAGE.	MEN.
1,111	57,103	5,320

Number of VESSELS *with the Amount of their* TONNAGE, *&c. that entered* INWARDS *and cleared* OUTWARDS, *in the several Ports of* IRELAND, *from, or to, all Parts of the World, in the three Years, ending 5th January* 1813.

	INWARDS.								
	IRISH.			BRITISH.			FOREIGN.		
Years ending 5th January,	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.
1811	1,982	130,991	8,983	7,514	673,540	38,536	660	119,188	6,643
1812	1,956	133,748	9,125	7,404	686,255	39,504	644	129,994	6,673
1813	2,229	152,355	10,398	9,022	830,473	47,809	405	79,307	4,255
	OUTWARDS.								
Years ending 5th January,									
1811	1,841	125,389	8,650	6,931	627,012	35,595	639	117,414	6,312
1812	1,853	129,031	8,651	6,865	642,767	36,051	625	126,588	6,265
1813	2,103	151,141	10,042	8,465	792,829	45,437	421	85,505	4,368

V.—PUBLIC EXPENDITURE.

	£.	s.	d.	£.	s.	d.	&.	s.	d.
I. For Interest on the Funded Debt of Ireland, including Annuities for Lives and Terms of Years; also £. 1 per Cent. for the Reduction of the Capital, created by Loans, since 1797 (A.)	4,547,614	7	6						
For Charge of Management thereon	-	-		23,504	18	0¼			
There was also applied towards the Reduction of the National Debt	67,649	1	0						
	4,615,263	8	6						
Whereof was applied towards the Reduction of the National Debt	1,560,316	13	2½						
Total on account of Interest	3,054,946	15	3½						
Ditto, for Charge of Management	23,504	18	0¼						
Ditto, on account of the Reduction of the National Debt	1,560,316	13	2½						
				-	-		4,638,768	6	6¼
II. For Interest on Exchequer Bills (B.)	-	-		-	-		96,196	5	9
III. Issues for the separate Service of Ireland (C.)	-	-		-	-		3,143,286	5	4
IV. Issues from Appropriated Funds for Local Purposes (D.)	-	-		-	-		53,290	5	2
V. Civil List	-	-		143,049	3	0¾			
Pensions	-	-		86,237	1	1¼			
Other Permanent Charges (E.)	-	-		245,014	13	6¼			
							474,300	17	8¼
VI. Payments in Anticipation of Exchequer Receipt; (F. 1 & 2.) viz.									
Bounties from Customs	26,013	19	10						
Bounties from Excise	26,911	13	4						
				52,925	13	2			
Militia and Deserters Warrants	-	-		90,157	7	8½			
							143,083	0	10½
VII. Ordnance (G.)	-	-		-	-		514,547	0	11
VIII. Army.—Ordinary Service; (H.) viz.									
Regulars, Militia, and Volunteer Corps, &c.	-	-		2,201,426	12	1½			
Commissariat Establishment	-	-		212,583	2	2¼			
Barracks	-	-		431,952	1	3½			
Staff Officers and Officers of Garrisons	-	-		86,895	17	8¼			
Half Pay, Supernumerary, and retired Officers	-	-		26,804	14	1¾			
Officers Widows	-	-		6,362	5	11			
Royal Hospital, Kilmainham	-	-		80,313	7	1½			
Public Officers, their Deputies, Clerks, and Contingent Expences	-	-		14,622	12	8¾			
Superannuated Officers	-	-		4,365	1	10¼			
				3,065,325	15	0¾			
Extraordinary Services	-	-		143,553	14	6¾			
							3,208,879	9	7½
IX. Miscellaneous Services (I.)	-	-		-	-		470,398	3	8¼
Lastly, Vote of Credit (K.)	-	-		-	-		33,531	9	1½
							12,776,281	4	8¼

(A. 1.)—MONIES *paid out of the Receipt of the Exchequer, in the Year ending the 5th Jan.* 1813, *towards defraying the Charge of the* PUBLIC FUNDED DEBT *of* IRELAND.

	Interest and Annuities for Lives and Terms of Years, &c. £.	s.	d.	Charge of Management. £.	s.	d.
Interest, &c. on the Public Funded Debt of Ireland …………	4,547,614	7	6	23,504	18	0¼
	23,504	18	0¼			
	4,571,119	5	6¼			
Annual Issue for the Reduction of the National Debt…………	67,649	1	0			
	4,638,768	6	6¼			

(A. 2.)—*Total Amount of the Sums actually received by the Commissioners for the Reduction of the* NATIONAL DEBT, *in the Year ending 5th Jan.* 1813.

	In Great Britain. £.	s.	d.	In Ireland. £.	s.	d.
Annual Issue …………………………………………	-	-		67,649	1	0
Expired Annuities …………………………………………	-	-		54,042	13	8
Appropriation of £. 1 per Cent. per Annum on Loans since 1797	714,839	6	6	221,413	4	7
	714,839	6	6	343,104	19	3
Interest on Debt of Ireland redeemed …………………………	307,350	3	9½	194,822	3	8
	1,022,389	10	3½	537,927	2	11
	537,927	2	11			
	1,560,316	13	2½			

(B)—*Interest on* EXCHEQUER BILLS, *with the Payments made in the Year from the 5th Jan.* 1812 *to the 5th Jan.* 1813.

	£.	s.	d.
There remained Interest on Exchequer Bills unclaimed on the 5th January 1812 …	13	2	11
Charge for Interest at £ 5 per Cent.			
On £. 114,062 10 0 from 25th Sept. 1811 to 25th Sept. 1812…………………	5,703	2	6
On £. 216,000 0 0 from 30th Do. … Do. to 30th Do. ………………………	10,800	0	0
On £. 293,750 0 0 from 25th Do. … Do. to 25th Do.………………………	14,687	10	0
On £. 216,666 13 4 from 30th Do. … Do. to 30th Do. (when paid off) ………	10,833	6	8
On £. 1,000,000 0 0 from 24th Dec. 1811 to 24th Dec. 1812 (when paid off) …	50,000	0	0
On £. 150,000 0 0 from 25th March 1812, to 25th September following………	3,750	0	0
On £. 15,461 2 2 from 12th July … Do. to 25th December following…………	422	6	7
	96,209	8	8
Deduct Interest unclaimed on the 5th January 1813 …………………………	13	2	11
Total Payments for Interest on Exchequer Bills, in the Year to 5th January 1813…	96,196	5	9

(C.)—*Payments made in the Year ending the 5th of January* 1813, *for the separate Service of* IRELAND.

	£.	s.	d.
For improving Post Roads………………………………………………	76,961	4	10
For Balance due the Bank of Ireland on £. 200,000 advanced for Relief of Commercial Credit ………………………………………………	18,461	2	2
On account of the Balance due by Ireland, on joint Expenditure of the United Kingdom, to 5th January 1812 ………………………………	1,794,299	0	0
Lottery Prizes ………………………………………………	72	0	0
Principal of Exchequer Bills………………………………………	1,216,666	13	4
Discount on prompt payment of Loan Deposites, &c. ………………………	36,826	5	0
	3,143,286	5	4

(D.)—*Payments made from the* Funds *appropriated for Local Purposes in* Ireland, *from the 5th Jan.* 1812, *to the 5th Jan.* 1813.

	£.	s.	d.
Linen Manufacture	349	16	7
Lagan Navigation	1,900	0	0
Improving Dublin	11,477	0	0
King's Inns	985	16	9
Royal Exchange and Commercial Buildings	2,030	0	0
Light House Duties	36,547	11	10
	53,290	5	2

(E.)—*Payments in the Year to the 5th January* 1813, *under the several Heads of—Civil List, Pensions, and other permanent Charges.*

	£.	s.	d.	£.	s.	d.
Arrear on Civil List on 5th January 1812	32,951	1	8			
Charge for one year to the 25th December 1812	145,000	0	0			
	177,951	1	8			
Deduct Arrear on 5th January 1813	34,901	18	7¼			
Issued for the Civil List, in one year, to the 5th of Jan. 1813...	-	-		143,049	3	0¾
Pensions	-	-		86,237	1	1¼
Other Permanent Charges, viz.						
Public Infirmaries	3,550	0	0			
Public Coal Yards	2,380	12	4¼			
Army Baggage	17,141	18	8½			
Police Establishment	15,203	5	6½			
Inspector General of Prisons	34,382	14	11			
Transportation of Felons	10,958	15	7¾			
Fees on auditing Treasury Accounts	1,065	19	6¾			
Imprest Office	8,375	10	8			
Secret Service in detecting treasonable Conspiracies	9,278	7	0			
Annuities and Compensation Allowances	97,359	14	5½			
Judges additional Salaries, &c.	38,770	10	7			
Commission of Inquiry	1,500	0	0			
Board of Education	300	0	0			
Lord Lieutenant's additional Salary for one Year to 25th December 1812 (with £.5,252 15*s.* 11*d.* the amount unappropriated on the Civil List, from 24th June 1811 to 24th June 1812)	4,747	4	1			
				245,014	13	6¼
				474,300	17	8¼

(F. 1.)—*Amount of* Bounties *paid out of the Public Revenue of Customs in the Year ending the 5th of Jan.* 1813, *being Payments in the nature of Anticipation of Exchequer Receipts.*

	£.	s.	d.
On Coarse Linen and Canvas exported	12,510	10	5
Irish cured Fish exported	149	12	5
Beef and Pork exported	1,448	6	10
Irish refined Sugars exported	280	1	3
Bark imported	95	9	4
Fishing Vessels	3,525	19	8
Irish Coals brought Coastways to Dublin	10	0	0
	26,013	19	10

(F. 2.)—*Amount of Payments out of the Revenue of Excise for* BOUNTIES, MILITIA, ARMY, *of* RESERVE, DESERTERS' WARRANTS, *&c. in the Year ending the 5th of January* 1813, *being Payments in the nature of Anticipation of Exchequer Receipts.*

	£.	s.	d.
Bounties to Spirit Retailers on the Sale of Malt Liquors	26.911	13	4
Payments for Militia	87,569	4	8
- - Army of Reserve	912	4	6½
- - Deserters' Warrants	818	0	0
- - Fortifications	857	18	6
	117,069	1	0½

(G.)—*Monies paid to the Office of* ORDNANCE *in the Year to the 5th of January* 1813.

	£.	s.	d.
For the Charge of the Office of Ordnance	498,209	14	8
On account of Pay of retired Officers of the late Irish Artillery, and Pensions to Widows of deceased Officers of the same	13,282	8	4
Superannuated and retired Allowances to Persons late belonging to the Office of Ordnance in Ireland	3,054	17	11
	514,547	0	11

(H.)—*Monies paid on Account of His Majesty's* FORCES *in* IRELAND, *in the Year ending the 5th January* 1813.

	£.	s.	d.	£.	s.	d.
Regiments of the Line and Foreign Corps	806,240	14	1¾			
Militia	1,147,468	15	7½			
Volunteer Corps	223,945	7	7			
Military Hospitals	18,084	15	3¼			
Royal Military Infirmary	4,552	17	1			
Officiating and retired Chaplains	1,134	2	5			
				2,201,426	12	1½
Commissariat Establishment				212.583	2	2¼
Barracks				431,952	1	3½
Staff Officers and Officers of Garrisons				86,895	17	8¼
Half Pay Supernumerary and retired Officers				26,804	14	1¾
Officers Widows				6,362	5	11
Royal Hospital, Kilmainham				80,313	7	1½
Public Officers, their Deputies, Clerks, and contingent Expenses				14,622	12	8¾
Superannuated Officers				4,365	1	10¼
				3,065,325	15	0¾
Extraordinary Service				143,553	14	6¾
				3,208,879	9	7½

(I.)—*Payments in the Year ending the 5th January* 1813, *for* MISCELLANEOUS SERVICES.

	£.	s.	d.
Public Officers for several Services	1,200	0	0
Public Hospitals and Schools	173,089	0	0
Miscellaneous Services	164 046	6	1
Public Boards	112,765	0	0
Inland Navigations	13,402	1	2¾
Board of First Fruits	5,895	16	5
	470,398	3	8¾

(K.)—*Payments from the* VOTE OF CREDIT *in the Year ending 5th Jan.* 1813.

	£.	s.	d.
Amount of Payments from the Vote of Credit	£.33,531	9	1¼

VI.—PUBLIC FUNDED DEBT.

Public Funded Debt *of* Ireland *as the same stood on the 5th of January* 1813.

	British Currency.			Irish Currency.		
	£.	s.	d.	£.	s.	d.
Sums raised	73,415,700	2	11			
Payable in Dublin:						
£. 3 10s. per Cent. per Annum	-	-	-	12,680,972	17	1
£. 4 per Cent. per Annum	-	-	-	227,600	0	0
£. 5 per Cent. per Annum	-	-	-	13,195,648	11	3
Payable in London:						
£. 5 per Cent. per Annum	1,900,000	0	0	2,058,333	6	8
£. 3 per Cent. Consolidated Annuities	33,235,125	0	0	36,004,718	15	0
£. 3 per Cent. Reduced Annuities	30,068,750	0	0	32,574,479	3	4
£. 4 per Cent. Consolidated Annuities	5,054,375	0	0	5,475,572	18	4
£. 5 per Cent. Consolidated New Annuities	572,000	0	0	619,666	13	4
Annual Charge.						
Annual Interest	3,523,019	6	8			
Annuities on Lives or Terms of Years	179,781	18	10			
Pursuant to Act 37 Geo. 3. for Redemption of Debt then existing	121,691	14	8			
By Acts providing 1 per Cent. for Redemption of Debts created since 1797	978,675	8	5	Total Principal		
Total of Annual Expences	4,826,054	10	11	102,836,992	5	0

An Account of the Progress made in the Reduction *of the* Public Funded Debt *of* Ireland, *to the 5th of January* 1813.

Stock Redeemed by Sinking Fund.			Total Sums Paid.		
£.	s.	d.	£.	s.	d.
5,345,055	12	6	4,242,528	19	3

Sums Annually applicable in Ireland to the Reduction *of the* National Debt.

Annual Income of each Loan.			Annual Interest on Stock Redeemed.		
£.	s.	d.	£.	s.	d.
343,653	17	5	214,436	9	2

At the Establishment of the Sinking Fund, £. 100,000 per Annum was granted for the then existing Debt,—£. 32,350 19s. of which was appropriated to the Reduction of Money borrowed for Ireland by the Government of Great Britain, in the year 1797; and £. 67,649 1s. with £. 54,042 13 8d. per Annum expired Annuities, which fell in afterwards, to Remainder of the Debt due by Ireland, prior to the year 1797, without any references to the Amount.

The Money borrowed for Ireland by the Government of Great Britain is not included in the above Statement, being settled for in England by the Lords of the Treasury of Ireland, and can only be procured from the Commissioners for reducing the National Debt of England.

VII.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT *of* IRELAND, *and* DEMANDS OUTSTANDING *on the 5th Day of January* 1813.

	£.	s.	d.	£.	s.	d.
LOAN DEBENTURES:						
Residue of Debentures bearing 4 per Cent. Interest to the Year 1788, provided for by the 27 and 28 Geo. 3, but unclaimed by the Proprietors; viz.						
Old Loan - - - - - - - - -	275	0	0			
Loan by Lottery 1780 - - - - - - -	1,220	0	0			
Loan by Lottery 1781 - - - - - - -	730	0	0			
				(a) 2,225	0	0
EXCHEQUER BILLS:						
Outstanding Exchequer Bills, provided for by several Acts of Parliament, but not claimed by the Proprietors, viz.						
Payable 24 June 1783 - - - - - - -	8	6	8			
24 June 1790 - - - - - - -	50	0	0			
24 June 1791 - - - - - - -	100	0	0			
24 June 1801 - - - - - - -	50	0	0			
25 March 1803 - - - - - - -	100	0	0			
				(a) 308	6	8
Exchequer Bills, not in course of payment:						
Issued pursuant to 49 Geo. 3, c. 78. payable 25 March 1813	114,062	10	0			
50 Geo. 3, c. 101. payable 25 March 1813	216,000	0	0			
51 Geo. 3, c. 22. payable 25 March 1815	293,750	0	0			
51 Geo. 3, c. 35. payable 12 July 1813 -	18,461	2	2			
52 Geo. 3, c. 70. payable 25 March 1816	150,000	0	0			
52 Geo. 3, c. 90. payable 24 June 1814 -	500,000	0	0			
52 Geo. 3, c. 113. payable 24 June 1814	1,216,660	13	4			
				(b) 2,508,940	5	6
LOTTERY PRIZES.						
Outstanding Lottery Prizes of the several Lotteries from 1782 to 1801 - -				(a) 25,927	0	0
Total - - - -				2,537.400	12	2

(a) Provision has been made for these Sums by several Acts of Parliament.
(b) To be provided for.

VIII.—DISPOSITION OF GRANTS.

An Account shewing how the MONIES, *granted for the* SERVICE *of the Year* 1812, *have been disposed of, so far as relates to* IRELAND; *stated in Irish Currency.*

SERVICE.	SUMS Granted.			SUMS Paid.			REMAINS.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Forces - - - - - - - -	3,660,001	10	9	3,208,879	9	7½	451,122	1	1½
Ordnance - - - - - - -	514,547	0	11	514,547	0	11			
Public Officers for several Services -	1,200	0	0	1,200	0	0			
Miscellaneous Services - - - -	171,963	17	8	164,046	6	1	7,917	11	7
Public Boards - - - - - -	112,765	0	0	112,765	0	0			
Public Hospitals and Schools - -	173,109	0	0	173,109	0	0			
	4,633,566	9	4	4,174,526	16	7½	459,039	12	8½

END OF THE FINANCE ACCOUNTS FOR 1813.

Amount of Bank Notes in circulation, on the 7th and 12th of each Month; from May to November, 1812; both inclusive: Distinguishing the Bank Post Bills; and distinguishing the Amount of Notes under the value of Five Pounds.

1812.		Bank Notes of 5*l.* and upwards.	Bank Post Bills.	Bank Notes under 5*l.*
		£.	£.	£.
May	7	14,918,890	1,340,490	7,467,350
	12	14,859,430	1,054,700	7,447,090
June	7	14,095,540	975,670	7,381,970
	12	14,775,340	975,080	7,356,900
July	7	13,624,690	891,070	7,396,230
	12	14,927,720	949,560	7,624,430
August	7	15,380,800	1,054,800	7,716,490
	12	15,100,320	1,071,690	7,672,680
September	7	14,548,660	990,960	7,598,390
	12	14,306,660	986,000	7,539,920
October	7	13,905,650	1,004,930	7,565,650
	12	13,919,080	1,020,960	7,728,460
November	7	14,471,490	1,056,670	7,671,640
	12	14,952,820	1,047,070	7,572,810
December	7	14,028,460	1,003,690	7,580,630

Amount of all the Stamped Dollars and Silver Tokens issued by the Bank *of* England, *from the 14th April 1812 inclusive, to the 10th December 1812 inclusive: distinguishing the number of each sort of Tokens.*

		£.	s.	d.
Nil.	STAMPED DOLLARS	Nil.		
2,326,244	SILVER TOKENS, of 3*s.* each	348,936	12	0
1,347,766	Do. of 1*s.* 6*d.* each	101,082	9	0
		450,019	1	0

Total Amount of all the Silver Tokens issued by the Bank *of* England, *from the 9th July 1811 to the 10th December 1812, inclusive.*

		£.	s.	d.
9,548,690	SILVER TOKENS, of 3*s.* each	1,432,303	10	0
4,708,937	Do. of 1*s.* 6*d.* each	353,170	5	6
		1,785,473	15	6

N. B.—The Tokens are of the Dollar Standard.

The Weight of the 3*s.* Token is 9 dwts. 11 grs.

The Weight of the 1*s.* 6*d.* Token is 4 dwts. 17¼ grs.

LIST OF PUBLIC ACTS,

Passed in the First Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland.—53 GEO. III.—A. D. 1812-13.

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1. An Act to continue, until the 1st day of October 1813, an Act of the last session of parliament, for allowing the use of sugar in brewing beer in Great Britain.
2. To continue, until the 1st day of October 1813, and amend an Act of the last session of parliament, for prohibiting the making of starch, hair powder, and blue, from wheat and other articles of food; and for suspending part of the duties now payable on the importation into Great Britain of starch.
3. To amend an Act of the last session of parliament, for prohibiting the intercourse between the islands of Jamaica and Saint Domingo.
4. For granting a sum of money for purchasing an estate for the marquis of Wellington and his heirs, in consideration of the eminent and signal services performed by the said marquis of Wellington to his Majesty and the public.
5. To continue, until the 25th day of March 1814, an Act of the last session of parliament, for making more effectual provision for preventing the current gold coin of the realm from being paid or accepted for a greater value than the current value of such coin: for preventing any note or bill of the governor and company of the bank of England, or of the governor and company of the bank of Ireland, from being received for any smaller sum than the sum therein specified; and for staying proceedings upon any distress by tender of such notes.
6. To explain and amend an Act passed in the 52nd year of the reign of his present Majesty, intituled, an Act for the relief of certain insolvent debtors in England; and to enlarge the powers of the same in certain cases.
7. To continue until the 31st day of December 1813, an Act made in the 49th year of his present Majesty, to prohibit the distillation of spirits from corn or grain in the United Kingdom, and another Act made in the 49th year of his present Majesty, to suspend the importation of British or Irish made spirits into Great Britain and Ireland respectively, and to continue the duties on worts or wash made from sugar in Great Britain, and the duties on spirits made from sugar in Ireland.
8. For repealing the duties and drawbacks on the importation into and exportation from Great Britain of Spanish red wine, and for granting others in lieu thereof.
9. To alter and amend an Act of the 52nd year of his present Majesty for better securing the duties on malt.
10. For charging an additional duty on rice imported into Great Britain.
11. For allowing an additional drawback on chocolate exported.
12. For indemnifying such persons as have advised or acted under an order in council for allowing the importation of certain articles into the West Indies, and for permitting such importation until the 30th day of June 1813.
13. For authorizing the assistant Secretary to the Postmaster General to send and receive letters and packets free from the duty on postage.
14. To explain so much of two Acts for regulating his Majesty's household and other purposes as relates to the powers of the commissioners for the care and management of his Majesty's real and personal estate.
15. For continuing to his Majesty certain duties on malt, sugar, tobacco and snuff, in Great Britain; and on pensions, offices, and personal estates in England; for the service of the year 1813.
16. For raising the sum of 10,500,000*l.* by exchequer bills, for the service of Great Britain; for the year 1813.
17. For punishing mutiny and desertion; and for the better payment of the army and their quarters.
18. For allowing a drawback of the duty on coals used in fire or steam engines for raising ores in the counties of Devon and Cornwall.
19. To amend an Act of the last session of parliament, to prevent the issuing and circulating of pieces of gold and silver or other metal usually called tokens, except such as are issued by the banks of England and Ireland respectively.
20. To allow a limited proportion of the corps of miners to inlist into the regular forces.
21. For authorising the commissioners of customs and excise to make an allowance for the necessary subsistence of poor persons confined for debts or penalties sued for under their orders.
22. For empowering the commissioners of excise to sell salt seized, duty free, either for exportation or for curing fish, and to reward the seizing officer.
23. To repeal so much of an Act of this session as continues the prohibition of the making of starch from wheat and other articles of food.
24. To facilitate the administration of justice.
25. For the regulating of his Majesty's royal marine forces while on shore.
26. For raising the sum of five millions by

exchequer bills, for the service of Great Britain, for the year 1813.

27. For raising the sum of 1,500,000*l.* by exchequer bills, for the service of Great Britain, for the year 1813.

28. To explain and amend an Act passed in the last session of parliament, for amending the laws relating to the local militia in England.

29. To explain and amend an Act, passed in the last session of parliament, intituled, an Act for amending the laws relating to the local militia in Scotland.

30. To allow a bounty on the exportation of the manufactures of refuse or waste silk.

31. For further continuing, until the 25th day of March 1814, certain bounties and drawbacks on the exportation of sugar from Great Britain; and for suspending the countervailing duties and bounties on sugar, when the duties imposed by an Act of the 49th of his present Majesty shall be suspended.

32. To continue, until the 25th day of March 1814, an Act for regulating the drawbacks and bounties on the exportation of sugar from Ireland.

33. For granting certain additional duties of customs imported into, and exported from Great Britain.

34. For granting to his Majesty additional duties of excise in Great Britain, on tobacco and snuff and on French wines.

35. To alter and amend several Acts passed in his present Majesty's reign, relating to the redemption of the national debt; and for making further provision in respect thereof.

36. To amend an Act passed in the 43rd year of the reign of his present Majesty, for regulating the vessels carrying passengers to his Majesty's plantations and settlements abroad.

37. To amend an Act of the 28th year of his present Majesty, for allowing the importation of rum or other spirits from his Majesty's colonies or plantations in the West Indies, into the province of Quebec, without payment of duty.

38. For regulating the exportation of corn and other articles to Newfoundland, Nova Scotia, the bay of Chaleur, and the coast of Labrador.

39. To continue, until the 25th day of March 1814, several laws relating to the transportation of felons and other offenders to temporary places of confinement in England and Scotland.

40. To repeal so much of several Acts, passed in England and Scotland respectively, as empowers justices of the peace to rate wages, or set prices of work, for artificers, labourers, or craftsmen.

41. For granting annuities to satisfy certain exchequer bills, and for raising a sum of money by debentures for the service of Great Britain.

42. To enable the commissioners of his Majesty's treasury to issue exchequer bills, on the credit of such aids or supplies as have been or shall be granted by parliament for the service of Great Britain for the year 1813.

43. For increasing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.

44. For allowing a drawback of the duties upon wines consumed by officers of the royal marines serving on board his Majesty's ships.

45. For repealing two Acts which prohibit the exportation of brass and other metal from England.

46. For the further regulation of the butter trade of Ireland.

47. To empower the officers of his Majesty's customs to take bonds from persons under 21 years of age, serving as mates on board of merchant vessels.

48. To amend the laws for raising and training the militia of Ireland.

49. To explain and amend an Act passed in the 7th and 8th years of the reign of the late king William, as far as relates to the splitting and dividing the interest in houses and lands among several persons to enable them to vote at elections of members to serve in parliament.

50. For further allowing the importation and exportation of certain articles at the island of Bermuda.

51. To relieve the widows of military officers from the payment of stamp duties on the receipt of their pensions, in Ireland.

52. To encourage the distillation of spirits from sugar in Ireland, and to permit the warehousing of such spirits without payment of the duty of excise chargeable thereon.

53. For raising a further sum of money by debentures for the service of Great Britain, and for granting annuities to satisfy certain exchequer bills, and for amending an Act of this session of parliament, for granting annuities to satisfy certain exchequer bills, and for raising a sum of money by debentures.

54. To amend an Act made in the 49th year of his Majesty's reign, intituled, an Act for the further prevention of the sale and brokerage of offices.

55. To continue, until the 5th day of July 1814. and to amend several Acts for granting certain rates and duties, and for allowing certain drawbacks and bounties on goods, wares, and merchandize imported into and exported from Ireland; and to grant, until the said 5th day of July 1814, certain new and additional duties on the importation, and to allow drawbacks on the exportation of certain goods, wares, and merchandize into and from Ireland.

56. To grant to his Majesty certain duties of excise in Ireland, on malt.

57. To grant to his Majesty certain duties of excise in Ireland, on tobacco.

58. To repeal certain rates and duties upon letters and packets sent by the post from or to Dublin, to or from the several post towns in Ireland, and to grant other rates and duties in lieu thereof; and to make further regula-

tions for securing the duties on letters and packets sent by the post in Ireland.

59. To grant to his Majesty certain duties and taxes in Ireland, in respect of carriages, horses, male servants, and windows, in lieu of former duties and taxes in respect of the like articles.

60. For the better collection of the duties on hides and skins tanned or dressed in oil, and on vellum and parchment made in Ireland; and for preventing frauds on his Majesty's revenue therein.

61. For raising the sum of two millions by way of annuities and treasury bills, for the service of Ireland.

62. To permit the entry for home consumption of sugar, the produce or manufacture of Martinique, Mariegalante, Guadaloupe, Saint Eustatia, Saint Martin, and Saba, at a lower rate of duty than is payable upon sugar not of the British plantations.

63. To extend two Acts of the 45th and 49th years of his present Majesty to American prizes.

64. For the better regulation of the court of session in Scotland.

65. For continuing, until the 25th day of July 1814, an Act made in the 33d year of his present Majesty, for rendering the payment of creditors more equal and expeditious in Scotland.

66. For explaining and clearing up certain doubts respecting the scites of parish churches within Ireland.

67. For empowering his Majesty to authorise the importation and exportation of certain articles into and from the West Indies, South America, and Newfoundland, until six weeks after the commencement of the next session of parliament.

68. To repeal the exemption from toll granted for or in respect of carriages with more than two wheels carrying the mail in Scotland, and for granting a rate for postage, as an indemnity for the loss which may arise to the revenue of the post office, from the payment of such tolls.

69. For raising the sum of twenty-seven millions by way of annuities.

70. To authorise the sellers of glass, hides, tobacco, and snuff, to charge the additional duties on any such articles ordered before, but not delivered until after the 5th day of July 1812.

71. For amending and rendering more effectual the laws for the trials of controverted elections and returns of members to serve in parliament.

72. For the more effectual administration of the office of a justice of the peace within the townships of Manchester and Salford, in the hundred of Salford, in the county palatine of Lancaster; and to provide, by means of a rate on the said townships and otherwise, a competent salary to a justice of the peace acting within the said townships; and to enable the constables of Manchester and Salford to take recognizances in certain cases.

73. To declare that the duties of excise and drawbacks granted and made payable in Ireland on tobacco by an Act of this session, are payable according to the amount thereof in British currency.

74. To provide for the better collection of the duty on malt made in Ireland.

75. For the better regulation of the cotton trade in Ireland.

76. To extend the provisions of an Act, passed in the 49th year of his present Majesty, for amending the Irish Road Acts, so far as the same relate to the appointment of supervisors on mail coach roads, to all roads made and repaired by presentment.

77. To amend an Act, passed in Ireland in the 19th and 20th years of his present Majesty, for empowering grand juries to present bridges and tolls to be paid for passing the same, in certain cases.

78. To continue for two years, and from thence until the end of the then next session of parliament, two Acts made in the 47th and 50th years of his present Majesty's reign, for the preventing improper persons from having arms in Ireland.

79. For defraying the charge of the pay and clothing of the militia of Ireland; and for making allowances in certain cases to subaltern officers of the said militia during peace.

80. For raising the sum of 330,000*l.* by treasury bills for the service of Ireland, for the year 1813.

81. To amend several Acts relating to the militia, and to enlisting of the militia into his Majesty's regular forces.

82. To amend an Act made in the 52nd year of his present Majesty's reign, intituled, an Act to explain the exemption from toll in several acts of parliament, for carriages employed in husbandry; and for regulating the tolls to be paid on other carriages, and on horses in certain other cases therein specified; and for other purposes relating thereto.

83. To increase the allowance to innkeepers for diet furnished to soldiers on a march.

84. For repealing the duties payable on the importation of wine the produce of the Cape of Good Hope, and its dependencies, and charging other duties in lieu thereof.

85. For amending two Acts passed in the 31st and 32nd years of his present Majesty, for the encouragement of seamen employed in the royal navy, and for establishing a regular method for the punctual, frequent, and certain payment of their wages, and for enabling them more easily and readily to remit the same for the support of their wives and families, and for preventing frauds and abuses attending such payments.

86. To explain an Act made in the 56th year of his present Majesty, for directing accounts of increase and diminution of public salaries, pensions, and allowances, to be annually laid before parliament; and to regulate and

controul the granting and paying of such salaries, pensions, and allowances.

87. To continue for seven years, two Acts passed in the 48th and 49th years of the reign of his present Majesty, for preventing frauds by boatmen and others, and adjusting salvage; and for extending and amending the laws relating to wreck and salvage.

88. To substitute a declaration in lieu of an oath in the verification of the books of persons dealing in certain exciseable articles.

89. For the more regular conveyance of writs for the election of members to serve in parliament.

90. To revive and continue, until the 25th day of March 1814, and amend so much of an Act, made in the 39th and 40th year of his present Majesty, as grants certain allowances to adjutants and serjeant-majors of the militia of England, disembodied under an Act of the same session of parliament.

91. For making allowances in certain cases to subaltern officers of the militia in Great Britain while disembodied.

92. For the removal of doubts respecting the powers of archbishops and bishops in Ireland, as to demising the mensal lands, not being demesne lands, to their respective sees belonging.

93. For granting to his Majesty a sum of money to be raised by lotteries.

94. To grant an additional duty of excise on spirits made or distilled from corn or grain in Ireland.

95. To provide for the charge of the addition to the public funded debt of Great Britain, in the year 1813.

96. For defraying the charge of the pay and clothing of the militia and local militia in Great Britain, for the year 1813.

97. For allowing glass makers to dispose of muriate of pot-ash arising in the manufacture of flux for glass, for use in the manufacture of alum, and for charging a duty of excise thereon.

98. For the more correct ascertainment of the value of duty-free goods exported.

99. For the more speedy and effectual trial and punishment of offences committed by soldiers detached in places beyond the seas out of his Majesty's dominions.

100. For facilitating the making up and audit of the accounts of the paymaster general of his Majesty's forces, for the years 1805, 1806, and 1807, and for enabling the said paymaster general to accept foreign bills of exchange payable at the bank of England.

101. To dissolve the corporation of the Royal Canal Company in Ireland, and to appoint commissioners for inquiring into and examining the claims of the creditors of the said company, and other matters relating to the said company, and to provide for carrying on and completing the canal from Dublin to Tarmonbury on the river Shannon.

102. For the relief of insolvent debtors in England.

103. To authorise the commissioners to transfer excise licences to the executors or administrators of deceased licensed traders, or to their successors in the houses from which such licensed traders shall have removed.

104. To permit the entry into Ireland, for home consumption, of sugar, the produce or manufacture of Martinique, Mariegalante, Guadaloupe, Saint Eustatia, Saint Martin, and Saba, at a lower rate of duty than is payable upon sugar not of the British plantations.

105. To explain and amend an Act of the present session for granting additional duties of customs on goods, wares, or merchandize imported into and exported from Great Britain; for allowing a drawback on carrot tobacco exported; for altering the duties on pearls imported: for repealing the additional duty on barilla granted by the said Act; for allowing a drawback of the additional duties of customs on timber used in the tin, lead, and copper mines of Devon and Cornwall; for ascertaining the time when the bounty on goods exported may be claimed; for better preventing the clandestine exportation of goods; and for appropriating the duties on sugar, the produce of Martinique and other places, granted by an Act of this session.

106. To extend the provisions of an Act made in the 45th year of his present Majesty's reign, for preventing the counterfeiting of certain silver tokens, to certain other tokens which have been or may be issued by the governor and company of the bank of Ireland.

107. For the appointment of commissioners for the regulation of the several endowed schools of public and private foundation in Ireland.

108. For altering, explaining, and amending an Act of the 48th year of his Majesty's reign, for granting stamp duties in Great Britain, with regard to the duties on re-issuable promissory notes, and on conveyances on the sale and mortgage of property; for better enabling the commissioners of stamps to give relief in cases of spoiled stamps; and to remit penalties for exempting certain instruments from stamp duty; and for better securing the duties on stage coaches.

109. To continue, until the first day of August 1814, several laws relating to the duties on glass made in Great Britain.

110. To suspend the exportation of foreign spirits from Great Britain to the Isle of Man, under licence from the commissioners of customs; and to permit the exportation of a limited quantity of Irish spirits in lieu thereof, under licence from the commissioners of customs and port duties in Ireland, from certain ports of that part of the kingdom to the said isle, until the 5th day of July 1814.

111. For the more easy manning of ships and vessels employed in the southern whale fishery.

112. To enlarge the time for commencing

prosecutions for forfeitures under certain Acts relating to the abolition of the slave trade.

113. For providing relief for the poor prisoners confined in the King's Bench, Fleet, and Marshalsea prisons.

114. To continue and amend an Act of the present session, to prevent the issuing and circulating of pieces of gold and silver, or other metal, usually called tokens, except such as are issued by the banks of England and Ireland respectively.

115. To insure the proper and careful manufacturing of fire-arms in England and for making provision for proving the barrels of such fire arms.

116. To alter and amend two Acts, of the 31st year of king George the 2nd, and the 13th year of his present Majesty, so far as relates to the price and assize of bread to be sold out of the city of London and the liberties thereof, and beyond the weekly bills of mortality and ten miles of the Royal Exchange.

117. To prevent damage to certain bridges in Scotland from the floating of timber.

118. For raising the sum of 5,670,700*l.* by exchequer bills, for the service of Great Britain, for the year 1813.

119. For raising the sum of one million by exchequer bills, for the service of Great Britain, for the year 1813.

120. To enable the lords of the treasury of Ireland to issue to the commissioners for the reduction of the national debt, a sum equal to one per centum on the amount of treasury bills outstanding in every year.

121. For making a more convenient communication from Mary-le Bone park and the northern parts of the metropolis, in the parish of Saint Mary-le-Bone, to Charing Cross, within the liberty of Westminster; and for making a more convenient sewage for the same.

122. For confirming the renunciation made by Spencer Perceval, esq. of his pensions, on his taking the office of a teller of the exchequer.

123. To amend and render more effectual several Acts passed for the redemption and sale of the land tax.

124. For allowing the use of salt, duty-free, for curing conger, polock, bream, ray, and scate.

125. To allow a bounty upon the exportation of stuffs, of silk ornamented with embroidery, tambour, needle work, lace, or fringe, and upon the exportation of ribbons made of silk mixed with inkle or cotton.

126. To extend the provisions of an Act of the 9th and 10th year of king William the 3rd, for preventing the embezzlement of stores of war, to all public stores.

127. For the better regulation of ecclesiastical courts in England, and for the more easy recovery of church rates and tithes.

128. To relieve from the operation of the statute of the 25th year of the reign of king Charles the 2nd, intituled, an Act for preventing dangers which may happen from popish recusants, all such of his Majesty's Popish or Roman Catholic subjects of Ireland as, by virtue of the act of parliament of Ireland of the 33d year of his Majesty's reign, intituled, an Act for the relief of his Majesty's Popish or Roman Catholic subjects of Ireland, hold, exercise, or enjoy any civil or military offices or places of trust or profit, or any other office whatsoever of which his Majesty's said subjects are by the said act of parliament of Ireland rendered capable.

129. To amend an Act made in the 49th year of his Majesty's reign, for the further prevention of the sale and brokerage of offices, so far as relates to the offices of the six clerks in the court of chancery in Ireland.

130. To continue, until the 1st day of January 1814, or in case parliament shall not have assembled before the said 1st day of January, then until three weeks after the then next meeting of parliament, certain Acts for appointing commissioners to enquire into the fees, gratuities, perquisites, and emoluments received in several public offices in Ireland, to examine into any abuses which may exist in the same, and into the mode of receiving, collecting, issuing, and accounting for public money in Ireland.

131. To make further regulations for the building and repairing of court houses and sessions houses in Ireland.

132. To extend the services of the militia of the Tower hamlets to all parts of the United Kingdom.

133. To amend an Act of the present session of parliament, for granting a sum of money for purchasing an estate for the marquis of Wellington, and his heirs, in consideration of the eminent and signal services performed by the said marquis of Wellington to his Majesty and the public.

134. To amend an Act of the 46th year of his present Majesty, for settling and securing a certain annuity, and for purchasing an estate for the earl Nelson.

135. To continue, until the 1st day of August 1815, two Acts of the 45th and 50th years of his present Majesty, allowing the bringing of coals, culm, and cinders, to London and Westminster by inland navigation.

136. For granting to his Majesty, certain sums of money out of the consolidated fund of Great Britain, and for applying certain monies therein mentioned for the service of the year 1813; and for further appropriating the supplies granted in this session of parliament.

137. To amend the several Acts for regulating licences for the sale of spirituous liquors, wine, beer, ale, and cyder, by retail, in Ireland.

138. For the relief of insolvent debtors in Ireland.

139. For exempting bankers and others from certain penalties contained in an Act of the last session of parliament, for the further

prevention of the counterfeiting of silver tokens issued by the governor and company of the bank of England, called dollars, and of silver pieces issued and circulated by the governor and company, called tokens, and for the further prevention of frauds practised by the imitation of the notes or bills of the said governor and company.

140. To amend an Act passed in the last session of parliament, intituled, an Act for the more effectual regulation of pilots, and of the pilotage of ships and vessels on the coast of England, and for the regulation of boatmen employed in supplying vessels with pilots licensed under the said Act, so far as relates to the coast of Kent, within the limits of the Cinque Ports.

141. To repeal an Act of the 17th year of the reign of his present Majesty, intituled, an Act for registering the grants of life annuities, and for the better protection of infants against such grants, and to substitute other provisions in lieu thereof.

142. To explain and amend several Acts relative to the land tax.

143. To direct the application of the sum of 50,000*l.* and of such further sums as may be granted for the benefit of the company of undertakers of the Grand Canal in Ireland.

144. To amend an Act of the parliament of Ireland of the 40th year of his present Majesty, for promoting inland navigation in Ireland.

145. To amend the several Acts for regulating the distillation of spirits in Ireland.

146. To amend an Act made in the 45th year of his present Majesty, intituled, an Act to amend the laws for improving and keeping in repair the post roads in Ireland, and for rendering the conveyance of letters by his Majesty's post office more secure and expeditious.

147. For the better securing the excise duties on spirits in Great Britain, and for rectifying a mistake in an Act of the last session of parliament, for granting certain duties on worts or wash made from sugar.

148. To provide for the more effectually preventing the illicit distillation of spirits in Ireland.

149. For the further support and maintenance of stipendiary curates.

150. For the more speedy and effectual examination and audit of the accounts of military expenditure in Spain and Portugal, for removing delays in passing the public accounts, and for making new arrangements for conducting the business of the audit office.

151. For regulating the office of registrar of the high court of admiralty and high court of appeals for prizes.

152. To continue, until the 1st day of Jan. 1819, an Act made in the 51st year of his present Majesty, to explain and amend the laws touching the elections of knights of the shire to serve in parliament for England, respecting the expences of hustings and poll clerks, so far as regards the city of Westminster.

153. To enable his Majesty to grant additional annuities to the judges of the courts in Westminster-hall, on their resignation of their offices.

154. To render valid and to authorise the payment and granting of certain pensions at Kilmainham hospital: and to empower the commissioners of the said hospital to commute pensions for a sum of money in certain cases.

155. For continuing in the East India Company for a further term the possession of the British territories in India, together with certain exclusive privileges: for establishing further regulations for the government of the said territories and the better administration of justice within the same; and for regulating the trade to and from the places within the limits of the said Company's charter.

156. To provide for the payment of the charge of the annuities created in respect of the sum of six millions granted for the service of Ireland, for the year 1813.

157. For granting the sum of fifty thousand pounds to John Palmer, esq. in consideration of the public services performed by the said John Palmer, in the improvement of the post office revenue.

158. For vesting in his Majesty certain parts of Windsor forest, in the county of Berks, and for inclosing the open commonable lands within the said forest.

159. To limit the responsibility of ship owners in certain cases.

160. To relieve persons who impugn the doctrine of the Holy Trinity, from certain penalties.

161. For enabling his Majesty to raise the sum of five millions, for the service of Great Britain; and for applying the sum of 200,000*l.* British currency for the service of Ireland.

162. To repeal a certain provision respecting persons convicted of felony without benefit of clergy, contained in an Act made in the 52d year of the reign of his present Majesty, for the erection of a penitentiary house for the confinement of persons convicted within the city of London and county of Middlesex, and for making other provisions in lieu thereof.

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Printed by T. C. Hansard, Peterborough-Court,
Fleet-Street, London.

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